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BILL 8

Government
Publications

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

77

BILL 8

1970

An Act to amend The Solicitors Act

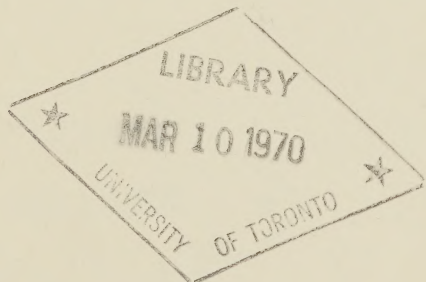
H¹ER MAJESTY by and with the advice and consent of
the Senate and House of Commons of Ontario in Parliament assembled,
enacteth as follows:

An Act to amend The Solicitors Act

1. Sections 1 to 6 of The Solicitors Act are repealed.
2. Section 7 of The Solicitors Act is amended by striking out "lawyers or solicitors" and substituting "solicitors".
3. Sections 8 to 16 of The Solicitors Act are repealed.

MR. WISHART

4. This Act may be cited as The Solicitors Amendment Act, 1970.



AND SHERMAN, YOUR LEGISLATIVE COUNSEL
IN FEBRUARY 11, 1970

An Act to amend The Solicitors Act

EXPLANATORY NOTE

The provisions repealed are being transferred to *The Law Society Act, 1970* (Bill 000).

Section 2 of the Bill is a complementary amendment; no change in principle.

John W. H. H. H.



BILL 8

1970

An Act to amend The Solicitors Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 1 to 6 of *The Solicitors Act* are repealed. R.S.O. 1960,
c. 378,
ss. 1-6,
repealed
2. Section 7 of *The Solicitors Act* is amended by striking out "hereinafter provided" in the fourth line and inserting in lieu thereof "a solicitor". R.S.O. 1960,
c. 378, s. 7,
amended
3. Sections 8 to 30 of *The Solicitors Act* are repealed. R.S.O. 1960,
c. 378,
ss. 8-30,
repealed
4. Section 70 of *The Solicitors Act* is repealed. R.S.O. 1960,
c. 378, s. 70,
repealed
5. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
6. This Act may be cited as *The Solicitors Amendment Act*, Short title
1970.

An Act to amend The Solicitors Act

1st Reading

February 27th, 1970

2nd Reading

3rd Reading

MR. WISHART

BILL 8

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

BILL 8

1970

An Act to amend The Solicitors Act

H HER MAJESTY, by and with the advice and consent of the Senate and House of Commons of Ontario, enacts as follows:

An Act to amend The Solicitors Act

1. Sections 1 to 6 of The Solicitors Act are repealed.

2. Section 7 of The Solicitors Act is amended by striking out "hereinafter provided" in the fourth line and inserting in lieu thereof "a solicitor".

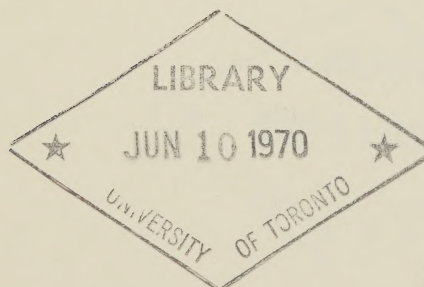
3. Sections 8 to 10 of The Solicitors Act are repealed.

4. Section 11 of The Solicitors Act is repealed.

Mr. WISHART

5. This Act comes into force on 1st July 1970 as to be read by the Companies Act, 1970.

6. This Act may be cited as The Solicitors Amendment Act, 1970.



BILL 8

1970

An Act to amend The Solicitors Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 1 to 6 of *The Solicitors Act* are repealed. R.S.O. 1960,
c. 378,
ss. 1-6,
repealed
2. Section 7 of *The Solicitors Act* is amended by striking out "hereinafter provided" in the fourth line and inserting in lieu thereof "a solicitor". R.S.O. 1960,
c. 378, s. 7,
amended
3. Sections 8 to 30 of *The Solicitors Act* are repealed. R.S.O. 1960,
c. 378,
ss. 8-30,
repealed
4. Section 70 of *The Solicitors Act* is repealed. R.S.O. 1960,
c. 378, s. 70,
repealed
5. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
6. This Act may be cited as *The Solicitors Amendment Act*, Short title
1970.

An Act to amend The Solicitors Act

1st Reading

February 27th, 1970

2nd Reading

April 14th, 1970

3rd Reading

May 27th, 1970

Mr. WISHART

CA20N
KB
-B 56

BILL 9

Government
of Ontario

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Barristers Act

MR. WISHART



EXPLANATORY NOTE

The provisions repealed are being transferred to *The Law Society Act, 1970* (Bill 000).

BILL 9

1970

An Act to amend The Barristers Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 1, 2, 3 and 5 of *The Barristers Act* are repealed. R.S.O. 1960, c. 30, ss. 1, 2, 3 and 5 repealed
2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement
3. This Act may be cited as *The Barristers Amendment Act, 1970*. Short title

An Act to amend The Barristers Act

1st Reading

February 27th, 1970

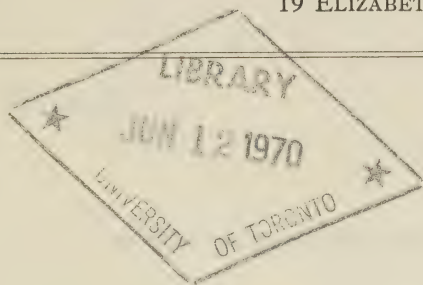
2nd Reading

3rd Reading

MR. WISHART

BILL 9

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Barristers Act

MR. WISHART

BILL 9

1970

An Act to amend The Barristers Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 1, 2, 3 and 5 of *The Barristers Act* are repealed. R.S.O. 1960,
c. 30, ss. 1, 2,
3 and 5
repealed
2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
3. This Act may be cited as *The Barristers Amendment Act, 1970*. Short title

An Act to amend The Baristers Act

1st Reading

February 27th, 1970

2nd Reading

April 14th, 1970

3rd Reading

May 27th, 1970

MR. WISHART

A20N
B
356

BILL 10

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Notaries Act, 1962-63

MR. WISHART



EXPLANATORY NOTE

The terminology is brought up to date. All lawyers today are barristers and solicitors; no one can be a barrister only or a solicitor only.

Section 3 of the Bill extends section 7 (1) of the present Act and brings it into line with *The Law Society Act, 1970* (Bill 000).

BILL 10

1970

An Act to amend The Notaries Act, 1962-63

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The Notaries Act*, 1962-63, c. 91, s. 2, 1962-63 is amended by striking out “or” in the first line and inserting in lieu thereof “and”.
subs. 1, amended

(2) Subsection 2 of the said section 2 is amended by striking out “or” in the first line and inserting in lieu thereof “and”.
1962-63, c. 91, s. 2, subs. 2, amended

2.—(1) Subsection 1 of section 5 of *The Notaries Act*, 1962-63, c. 91, s. 5, 1962-63 is amended by striking out “or” in the second line and inserting in lieu thereof “and”.
subs. 1, amended

(2) Subsection 2 of the said section 5 is amended by striking out “or” where it occurs the first time in the second line and inserting in lieu thereof “and”.
1962-63, c. 91, s. 5, subs. 2, amended

3. Subsection 1 of section 7 of *The Notaries Act*, 1962-63 is repealed and the following substituted therefor:
1962-63, c. 91, s. 7, subs. 1, re-enacted

- (1) Where a notary public who is a member of The Law Society of Upper Canada ceases for any reason to be a member of the Society or his membership in the Society is in abeyance, his appointment as a notary public is *ipso facto* suspended until such time as his membership in the Society is restored or is no longer in abeyance.
Suspension

4. This Act may be cited as *The Notaries Amendment Act*, 1970.
Short title

Bill 10

An Act to amend The Notaries Act,
1962-63

1st Reading

February 27th, 1970

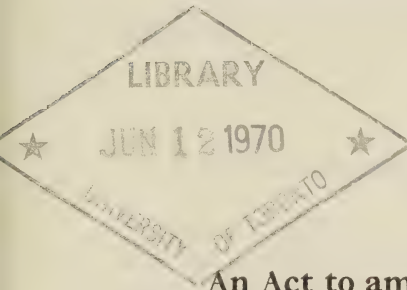
2nd Reading

3rd Reading

MR. WISHART

BILL 10

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Notaries Act, 1962-63

MR. WISHART

BILL 10

1970

An Act to amend The Notaries Act, 1962-63

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The Notaries Act*, 1962-63, c. 91, s. 2, 1962-63 is amended by striking out “or” in the first line and inserting in lieu thereof “and” subs. 1, amended

(2) Subsection 2 of the said section 2 is amended by striking out “or” in the first line and inserting in lieu thereof “and” 1962-63, c. 91, s. 2, subs. 2, amended

2.—(1) Subsection 1 of section 5 of *The Notaries Act*, 1962-63, c. 91, s. 5, 1962-63 is amended by striking out “or” in the second line and inserting in lieu thereof “and” subs. 1, amended

(2) Subsection 2 of the said section 5 is amended by striking out “or” where it occurs the first time in the second line and inserting in lieu thereof “and” 1962-63, c. 91, s. 5, subs. 2, amended

3. Subsection 1 of section 7 of *The Notaries Act*, 1962-63 is repealed and the following substituted therefor: 1962-63, c. 91, s. 7, subs. 1, re-enacted

- (1) Where a notary public who is a member of The Law Society of Upper Canada ceases for any reason to be a member of the Society or his membership in the Society is in abeyance, his appointment as a notary public is *ipso facto* suspended until such time as his membership in the Society is restored or is no longer in abeyance. Suspension

4. This Act may be cited as *The Notaries Amendment Act*, 1970. Short title

An Act to amend The Notaries Act,
1962-63

1st Reading

February 27th, 1970

2nd Reading

April 14th, 1970

3rd Reading

May 27th, 1970

MR. WISHART

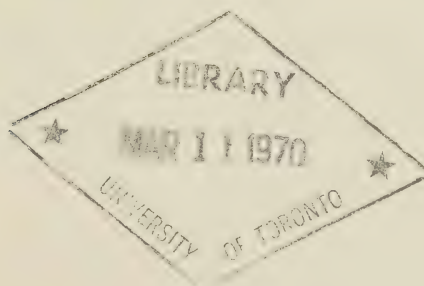
BILL 11

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3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Judicature Act

MR. WISHART



EXPLANATORY NOTES

SECTION 1. The amendment increases the number of High Court judges from twenty-six to twenty-nine.

SECTION 2. The amendment enlarges the securities in which The Accountant of the Supreme Court may invest money paid into court. At present, his investments are confined to securities issued or guaranteed by the Government of Ontario or Canada.

BILL 11

1970

An Act to amend The Judicature Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 5 of *The Judicature Act*, as amended by section 1 of *The Judicature Amendment Act, 1967*, is further amended by striking out "twenty-six" in the amendment of 1967 and inserting in lieu thereof "twenty-nine", so that the subsection shall read as follows:

- (1) The High Court shall consist of a chief justice who shall be the president thereof and who shall be called the Chief Justice of the High Court, and twenty-nine other judges.

2. Subsection 5 of section 107 of *The Judicature Act* is repealed and the following substituted therefor:

- (5) Any money that is available for investment shall be invested in investments in which the Treasurer of Ontario and Minister of Economics may invest public money under section 20 of *The Financial Administration Act*.

3. This Act comes into force on the day it receives Royal Assent.

4. This Act may be cited as *The Judicature Amendment Act, 1970*.

An Act to amend
The Judicature Act

1st Reading

February 27th, 1970

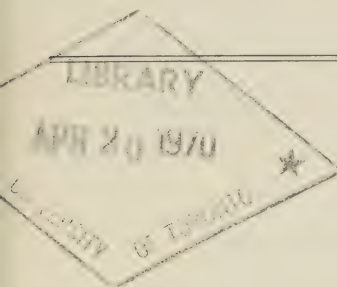
2nd Reading

3rd Reading

MR. WISHART

BILL 11

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend The Judicature Act**

MR. WISHART

(Reprinted as amended by the Legal and Municipal Committee)

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

SECTION 1. The amendment increases the number of High Court judges from twenty-six to thirty.

SECTION 2. The amendment enlarges the securities in which The Accountant of the Supreme Court may invest money paid into court. At present, his investments are confined to securities issued or guaranteed by the Government of Ontario or Canada.

BILL 11

1970

An Act to amend The Judicature Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 5 of *The Judicature Act*, as amended by section 1 of *The Judicature Amendment Act, 1967*, is further amended by striking out "twenty-six" in the amendment of 1967 and inserting in lieu thereof "thirty", so that the subsection shall read as follows:

- (1) The High Court shall consist of a chief justice who shall be the president thereof and who shall be called the Chief Justice of the High Court, and thirty other judges.

2. Subsection 5 of section 107 of *The Judicature Act* is repealed and the following substituted therefor:

- (5) Any money that is available for investment shall be invested in investments in which the Treasurer of Ontario and Minister of Economics may invest public money under section 20 of *The Financial Administration Act*.

3. This Act comes into force on the day it receives Royal Assent.

4. This Act may be cited as *The Judicature Amendment Act, 1970*.

An Act to amend
The Judicature Act

1st Reading

February 27th, 1970

2nd Reading

March 10th, 1970

3rd Reading

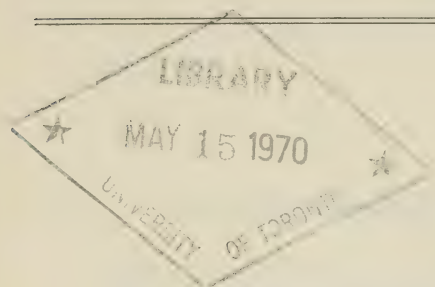
MR. WISHART

(Reprinted as amended by the
Legal and Municipal Committee)

Government
Publications

BILL 11

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Judicature Act

MR. WISHART

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 11

1970

An Act to amend The Judicature Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 5 of *The Judicature Act*, as amended by section 1 of *The Judicature Amendment Act, 1967*, is further amended by striking out "twenty-six" in the amendment of 1967 and inserting in lieu thereof "thirty", so that the subsection shall read as follows:

R.S.O. 1960,
c. 197, s. 5,
subs. 1,
amended

- (1) The High Court shall consist of a chief justice who shall be the president thereof and who shall be called the Chief Justice of the High Court, and thirty other judges.

High Court
of Justice

2. Subsection 5 of section 107 of *The Judicature Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 197, s. 107,
subs. 5,
re-enacted

- (5) Any money that is available for investment shall be invested in investments in which the Treasurer of Ontario and Minister of Economics may invest public money under section 20 of *The Financial Administration Act*.

Investment
of money

R.S.O. 1960,
c. 142

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. This Act may be cited as *The Judicature Amendment Act, 1970*.

Short title

An Act to amend
The Judicature Act

1st Reading

February 27th, 1970

2nd Reading

March 10th, 1970

3rd Reading

April 22nd, 1970

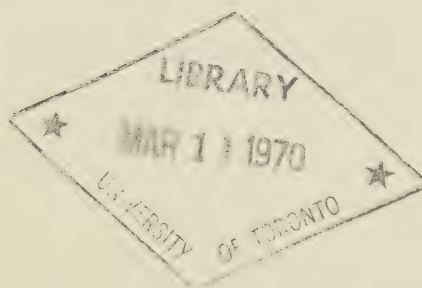
MR. WISHART

BILL 12

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend
The Motorized Snow Vehicles Act, 1968**

MR. SHULMAN



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

Self-explanatory.

EXPLANATORY NOTE

BILL 12

1970

**An Act to amend
The Motorized Snow Vehicles Act, 1968**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Motorized Snow Vehicles Act, 1968* is amended by ^{1968, c. 75, amended} adding thereto the following section:

9a. No person shall, while driving or riding on a motorized snow vehicle, ^{Firearms or bows, pursuing a deer or bear}

(a) have in his possession,

(i) any firearm unless it is unloaded and encased, or

(ii) any bow unless it is unstrung or encased; or

(b) drive or pursue any deer or bear.

2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

3. This Act may be cited as *The Motorized Snow Vehicles Amendment Act, 1970*. ^{Short title}

An Act to amend
The Motorized Snow Vehicles Act, 1968

1st Reading

February 27th, 1970

2nd Reading

3rd Reading

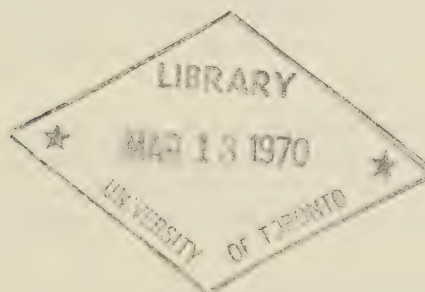
MR. SHULMAN

BILL 13

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. REID (Scarborough East)



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

Self-explanatory.

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Schools Administration Act* is amended by adding <sup>R.S.O. 1960,
c. 361,
amended</sup> thereto the following section:

35e.—(1) A board of a high school district shall establish, <sup>Governing
council</sup> for at least one high school in the district, a governing council, consisting of,

- (a) the principal of the high school, who is an *ex officio* member;
- (b) teachers who teach in the school, who shall be elected by the teachers in the school for a term of two years;
- (c) students attending the school in Grade 11, Grade 12 or 13, who shall be elected by all the students in the school for a term of one year;
- (d) adult members of the community served by the school, who shall be elected for a term of two years by the members of a representative organization or association designated by the board,

in such proportions as are determined by the board, subject to subsection 2.

- (2) The proportion of members under clauses *a*, *b* and <sup>Proportion
of members</sup> *c* of subsection 1 shall be not less than 60 per cent of the total and the proportion of members under each of clauses *b* and *c* shall be not less than 20 per cent of the total.

Conduct of
elections

- (3) The elections referred to in clauses *b* and *c* of subsection 1 shall be conducted democratically by and at the expense of the board.

Vacancies

- (4) An elected member who loses his eligibility for election while he is in office shall vacate his office, and where the office of an elected member becomes vacant for this or any other reason before the expiration of his term, the remaining members elected by the same electors shall appoint a person who is eligible to be a candidate for election to the office to be a member for the remainder of the unexpired term.

Duties of
council

- (5) The governing council shall determine the policies of the school that would otherwise be within the jurisdiction of the principal and is responsible for the administration of the school.

Principal
chief
executive
officer

- (6) The principal of the school shall be the chief executive officer of the council but shall not be its chairman.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*.

An Act to amend
The Schools Administration Act

1st Reading

February 27th, 1970

2nd Reading

3rd Reading

Mr. REID (Scarborough East)

BILL 14

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. REID (Scarborough East)

(Corrected 1st Reading)

EXPLANATORY NOTE

The Bill permits school boards to pay the full amount of the cost of providing hospital care, health services, group insurance and the like to its employees. It is similar to the amendment to *The Municipal Act* passed in 1968-69 in that regard.

BILL 14

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 41 of *The Schools Administration Act*, as amended R.S.O. 1960, c. 361, s. 41, by section 14 of *The Schools Administration Amendment Act*, re-enacted 1968, is repealed and the following substituted therefor:

41.—(1) Subject to *The Health Services Insurance Act*, Insurance hospitali- 1968-69, a board may by resolution provide by zation, etc. contract either with an insurer licensed under *The* R.S.O. 1960, c. 190, 304, *Insurance Act* or with an association registered under 1968-69, c. 43 *The Prepaid Hospital and Medical Services Act*,

(a) group life insurance for employees or any class thereof;

(b) group accident insurance or group sickness insurance for employees or any class thereof and their wives and children; and

(c) hospital, medical, surgical, nursing or dental services or payment therefor for employees or any class thereof and their wives and children,

and for paying the whole or part of the cost thereof.

(2) A board may by resolution provide for paying the Payments re Ontario whole or part of the cost to employees of the plan hospital care plan of hospital care insurance provided for under *The* R.S.O. 1960, c. 176 *Hospital Services Commission Act* or of health services insurance under *The Health Services Insurance Act*, 1968-69.

2. This Act shall be deemed to have come into force on Commence- the 1st day of October, 1969. ment

3. This Act may be cited as *The Schools Administration* Short title *Amendment Act, 1970.*

An Act to amend
The Schools Administration Act

1st Reading

February 27th, 1970

2nd Reading

3rd Reading

MR. REID (Scarborough East)

(Corrected 1st Reading)

CA20N
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BILL 15

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to establish the Universities Commission

MR. REID (Scarborough East)

EXPLANATORY NOTE

The purpose of the Bill is to establish an independent Universities Commission containing representation from the government, universities and the community to allocate the grants of public money and act in an inter-university co-ordination capacity.

BILL 15

1970

An Act to establish the Universities Commission

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means the Universities Commission established under section 2;
- (b) "university" means a university established by an Act of the Legislature and includes Queen's University.

2.—(1) A commission is established to be known as the ^{Universities Commission established} Universities Commission, composed of fifteen members of whom,

- (a) three shall be appointed by the Lieutenant Governor in Council for a term of two years;
- (b) seven shall be appointed jointly by the governing bodies of each university in Ontario for a term of three years; and
- (c) five shall be appointed for a term of two years by the members appointed under clauses *a* and *b* and who shall not be employed in the public service of Ontario or on the staff of a university in Ontario or a member of the governing body of a university in Ontario.

(2) Any member whose term of office has expired is eligible ^{Re-}for re-appointment.

(3) Where the office of a member of the Commission becomes vacant before the expiration of his term, the body that appointed him may appoint another person to hold office as a member for the unexpired portion of the term. ^{Vacancies}

- Chairman (4) The members of the Commission shall elect a chairman from among themselves.
- Quorum (5) Ten members constitute a quorum of the Commission.
- Procedures (6) The Commission may make by-laws governing its own procedures.
- Functions of Commission **3.**—(1) All moneys appropriated by the Legislature for university purposes shall be paid to the Commission, which shall distribute the moneys to such universities, for such purposes and in such amounts as the Commission determines.
- Idem (2) The Commission shall study methods of co-ordination and co-operation among universities.
- Employees **4.**—(1) The Commission may employ such persons as it deems necessary for its purposes and may determine their terms of employment, remuneration and other benefits.
- Idem (2) The persons employed in the Department of University Affairs immediately before this Act comes into force shall be offered employment by the Commission upon the coming into force of this Act upon the same terms of employment and for the same remuneration and other benefits as they were entitled to immediately before this Act comes into force.
- Application of R.S.O. 1960, c. 332 (3) *The Public Service Superannuation Act* applies to the employees of the Commission in the same manner as to a civil servant.
- Report **5.** The Commission shall make a report annually to the Provincial Secretary upon the affairs of the Commission and the Provincial Secretary shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.
- Audit **6.** The accounts and financial transactions of the Commission shall be audited annually by the Provincial Auditor.
- Department of University Affairs dissolved **7.**—(1) The Department of University Affairs is dissolved.
- Moneys appropriated for 1969-70 (2) The moneys appropriated by the Legislature for the year from the 1st day of April, 1969 to the 31st day of March, 1970 for the purposes of the Department of University Affairs shall be deemed to have been appropriated for the purposes of the Commission.

8. *The Department of University Affairs Act, 1964* is ^{1964, c. 24,} repealed.
repealed

9. This Act comes into force on the 1st day of July, 1970. ^{Commence-}
ment

10. This Act may be cited as *The Universities Commission* ^{Short title}
Act, 1970.

An Act to establish the
Universities Commission

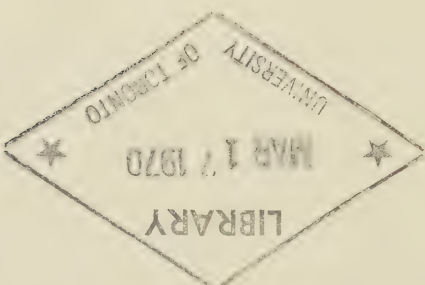
1st Reading

March 2nd, 1970

2nd Reading

3rd Reading

MR. REID (Scarborough East)

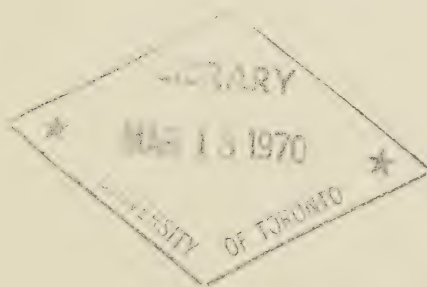


BILL 16

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. REID (Scarborough East)



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

SECTION 1. The amendment allows boards to not only permit the use of school premises for educational and other lawful purposes but to encourage such use; the proviso that such use not interfere with the proper conduct of the school is removed.

BILL 16

1970

**An Act to amend
The Schools Administration Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph 21 of section 35 of *The Schools Administration Act*, as amended by subsection 2 of section 9 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor. R.S.O. 1960,
c. 361, s. 35,
par. 21,
re-enacted

21. permit and encourage the use of school buildings and premises and school buses owned by the board for any educational or other lawful purposes that it deems proper. permit and
encourage
use of school

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*. Short title

An Act to amend
The Schools Administration Act

1st Reading

March 2nd, 1970

2nd Reading

3rd Reading

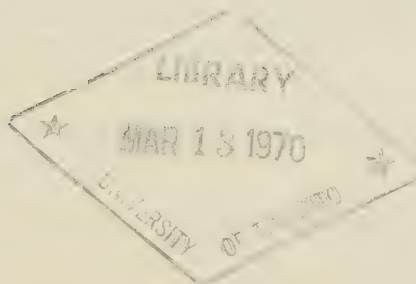
MR. REID (Scarborough East)

BILL 17

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend
The Ontario Water Resources Commission Act**

MR. SHULMAN



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The purpose of the Bill is to prevent eutrophication of watercourses.

BILL 17

1970

**An Act to amend
The Ontario Water Resources Commission Act**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Ontario Water Resources Commission Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 281,
amended

27a. Every person who sells or offers for sale any detergent that contains a polyphosphate is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000. Sale of
detergents

2. *The Ontario Water Resources Commission Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 281,
amended

31a. Every municipal sewage works that empties effluent into a lake, river, stream or other water or water-course shall so treat the sewage that the effluent does not contain any phosphate that is chemically capable of being removed. Sewage
treatment
to remove
phosphates

3.—(1) This Act, except section 2, comes into force on the 1st day of September, 1970. Commence-
ment

(2) Section 2 comes into force on the 1st day of January, 1971. Idem

4. This Act may be cited as *The Ontario Water Resources Commission Amendment Act, 1970*. Short title

An Act to amend The Ontario
Water Resources Commission Act

1st Reading

March 2nd, 1970

2nd Reading

3rd Reading

MR. SHULMAN

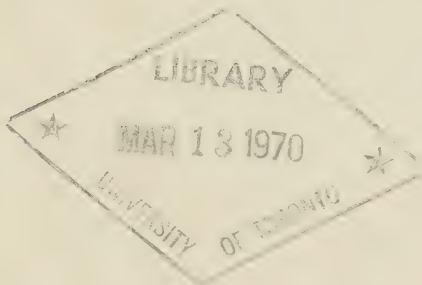
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BILL 18

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Private Investigators and Security Guards Act, 1965

MR. BREITHAUPT



EXPLANATORY NOTE

The repealed clause exempted from the Act the activities of credit bureaus and other commercial reporting agencies.

BILL 18

1970

The Private Investigators and Security Guards Act, 1965

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *b* of section 2 of *The Private Investigators and Security Guards Act, 1965* is repealed. 1965, c. 102,
s. 2, cl. b,
repealed
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Private Investigators and Security Guards Amendment Act, 1970*. Short title

An Act to amend
The Private Investigators and
Security Guards Act, 1965

1st Reading

March 2nd, 1970

2nd Reading

3rd Reading

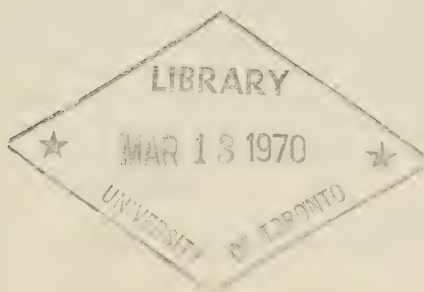
MR. BRETHAUPP

BILL 19

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Highway Traffic Act

MR. BREITHAUP



EXPLANATORY NOTE

Self-explanatory.

BILL 19

1970

An Act to amend The Highway Traffic Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 62 of *The Highway Traffic Act*, as amended by R.S.O. 1960, c. 172, s. 62, section 47 of *The Highway Traffic Amendment Act, 1968-69*, amended is further amended by adding thereto the following subsections:

- (2) Where the Lieutenant Governor in Council has made regulations prescribing a higher rate of speed upon a highway that is designated as a controlled-access highway under *The Highway Improvement Act* than the rate of speed prescribed in this Act, subject to subsection 3, no person shall drive a motor vehicle on such highway at a lesser rate of speed than 40 miles per hour. Minimum speed on controlled-access highways R.S.O. 1960, c. 171
- (3) Where because of the gradient, its load or mechanical trouble a commercial motor vehicle cannot maintain the minimum speed prescribed by subsection 2, such vehicle shall while proceeding at such lower rate of speed be driven at all times in the outer or curb lane and shall have four emergency flasher lights in operation during the whole of the time it is proceeding at such lower rate of speed. When minimum speed cannot be maintained

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Highway Traffic Amendment Act, 1970*. Short title

An Act to amend
The Highway Traffic Act

1st Reading

March 2nd, 1970

2nd Reading

3rd Reading

MR. BREITHAUPF

BILL 20

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

The Gun Control Act, 1970

MR. DE MONTE

EXPLANATORY NOTE

The Bill provides for the licensing of all manufacturers, importers and retailers of firearms in Ontario. No person may possess a firearm unless he is the holder of a permit for it issued by the Director of Firearms, who must be satisfied there is good reason for its possession. No permit may issue for a pistol, revolver or similar handgun. A central registry of all firearms in Ontario is established and the onus is placed on the person transferring possession of a firearm to notify the Director.

Penalties are provided.

BILL 20

1970

The Gun Control Act, 1970

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Director" means the Director of Firearms appointed under this Act;
- (b) "firearm" means a weapon that will, or is designed to or may readily be converted to, expel a projectile by the action of an explosive and includes,
 - (i) the frame or receiver of such weapon, and
 - (ii) any firearm muffler or firearm silencer;
- (c) "handgun" means a pistol or revolver or any other firearm having one or more barrels less than sixteen inches in length;
- (d) "regulations" means the regulations made under this Act.

2. There shall be a Director of Firearms who shall be appointed by the Lieutenant Governor in Council, and such other officers, clerks and servants as are deemed necessary for the purposes of this Act may be appointed under *The Public Service Act, 1961-62*.

Director
and staff

1961-62,
c. 121

3. No person shall engage in the business of manufacturing, importing or selling by retail firearms in Ontario unless he is the holder of a licence therefor obtained from the Director.

Licence
required

4. An application for a licence shall be made to the Director in such form as the regulations prescribe and shall be accompanied by the prescribed fee.

Application

Possession
without
permit pro-
hibited

5. No person other than a licensed manufacturer, licensed importer or licensed retailer of firearms shall possess a firearm unless he is the holder of a permit obtained from the Director authorizing him to possess such firearm.

Application
for permit

6.—(1) Subject to subsections 2 and 3, the Director may, upon application made to him in the manner prescribed by the regulations, issue to an applicant a permit authorizing the applicant to possess a firearm of the type and kind specified in the permit.

When not
to issue

(2) The Director shall not issue a permit under subsection 1 unless the applicant satisfies the Director that the purposes for which the applicant requires the firearm are reasonable and proper and that possession of the firearm will not be in any way contrary to the public interest.

Not to issue
permit for
handgun

(3) Notwithstanding subsection 1, the Director shall not issue a permit to any person so as to authorize the possession of a handgun.

Transfer of
firearm

7. No licensed retailer shall sell or otherwise transfer possession of a firearm to any person unless the person,

(a) is of the full age of eighteen years; and

(b) produces to the retailer a permit obtained from the Director authorizing the person to possess a firearm of that type and kind.

Central
register

8. The Director shall maintain a register of all firearms in Ontario which shall include,

(a) the identification of the firearm;

(b) the date of registration; and

(c) the name and address of the person or corporation entitled to possession of the firearm.

Firearms
to be
registered

9.—(1) Every licensed manufacturer or licensed importer of firearms shall register with the Director each firearm that he manufactures or imports into Ontario.

Transferor
of firearm
to notify
Director

(2) Where a manufacturer or importer transfers possession of a firearm he shall notify the Director in writing of the name and address of the transferee, and the Director shall alter the register accordingly.

(3) Where a licensed retailer of firearms sells or otherwise ^{Idem} transfers possession of a firearm he shall notify the Director in writing of the name and address of the transferee, and the Director shall alter the register accordingly.

(4) Where any person who is the holder of a permit sells or ^{Idem} otherwise transfers possession of the firearm to which the permit relates, he shall notify the Director in writing of the name and address of the transferee, and the Director shall alter the register accordingly.

10. The Lieutenant Governor in Council may make regu- ^{Regulations} lations,

- (a) providing for the issue, renewal and revocation of licences and prescribing the terms and conditions on which licences may be issued, renewed and revoked;
- (b) providing for the issuing and revoking of permits and the terms and conditions on which permits may be issued and revoked;
- (c) requiring the payment of fees in respect of licences and permits and prescribing the amounts thereof;
- (d) respecting the central registry of firearms and the manner in which firearms shall be identified for the purposes thereof;
- (e) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act.

11. Nothing in this Act applies so as to require the regis- ^{Exemption from Act} tration of firearms, or the holding of a permit in respect of firearms, that are in the possession of a member of the armed forces of Canada or in the possession of a member of the Royal Canadian Mounted Police or a member of any police force to which *The Police Act* applies, provided such firearm ^{R.S.O. 1960, c. 298} is lawfully in the possession of such member in connection with his duties as a member of the armed forces or such police force.

12. Nothing in this Act affects the registration procedures ^{Application of 1953-54, c. 51 (Can.)} in respect of firearms set out in the *Criminal Code* (Canada) nor renders unlawful the possession of any firearm that is registered in accordance with the provisions of that Act.

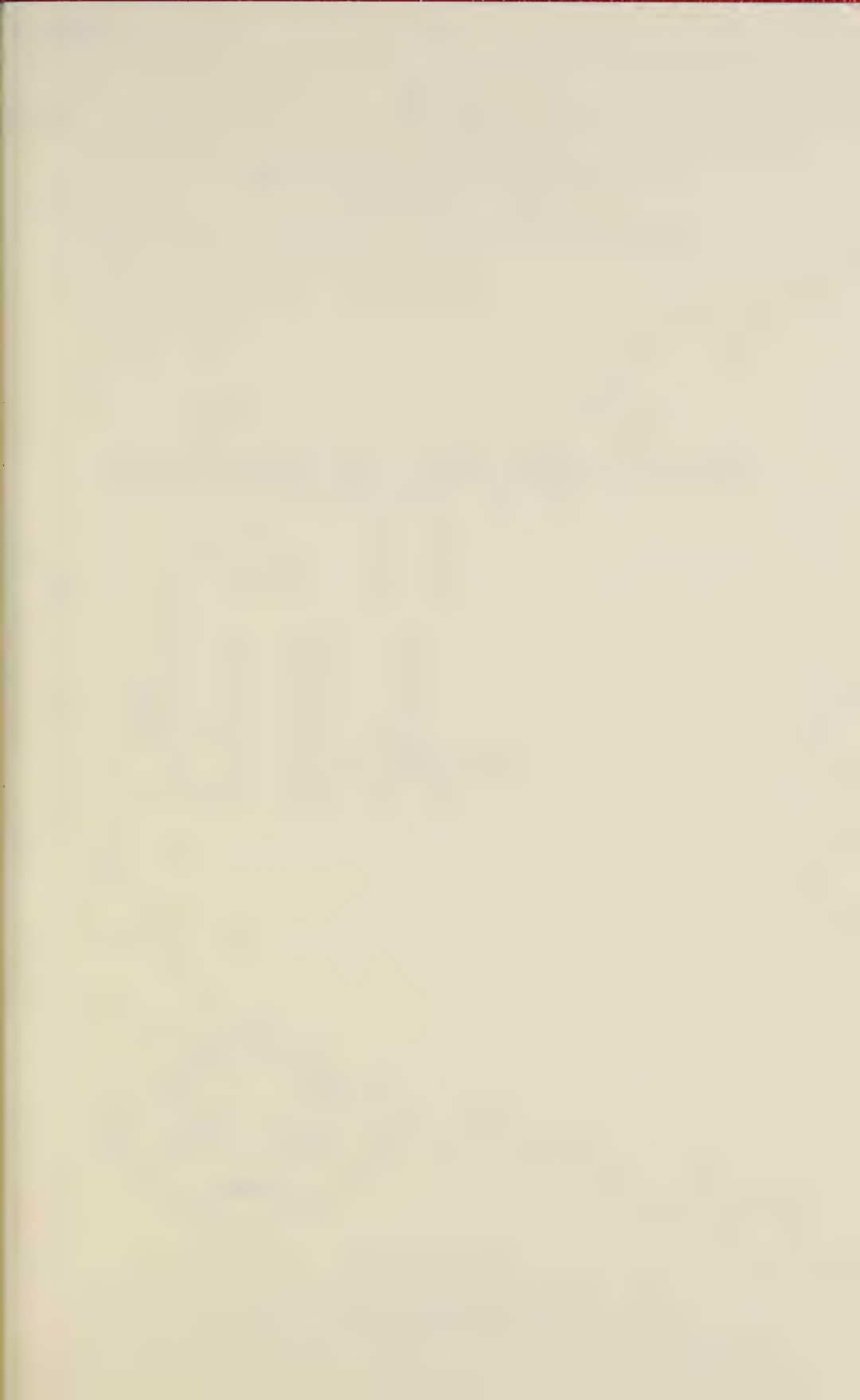
13. Every person who contravenes any of the provisions of this Act or the regulations is guilty of an offence and on ^{Offence} summary conviction is liable to a fine of not more than \$5,000.

Commence-
ment

14. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

15. This Act may be cited as *The Gun Control Act, 1970*.



The Gun Control Act, 1970

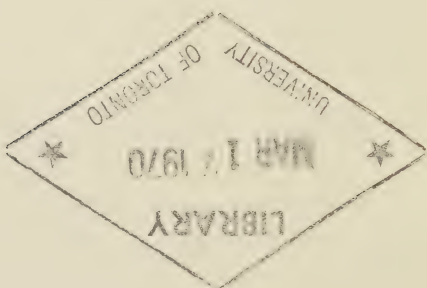
1st Reading

March 3rd, 1970

2nd Reading

3rd Reading

MR. DE MONTE



BILL 21

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend The Ontario Institute for Studies
in Education Act, 1965**

MR. REID (Scarborough East)

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The amendment ensures that the results of experiments or studies of the Institute are not appropriated for exclusive use.

BILL 21

1970

**An Act to amend The Ontario Institute
for Studies in Education Act, 1965**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of *The Ontario Institute for Studies in Education Act, 1965* is amended by adding thereto the following sub-amended section: ^{1965, c. 86, s. 5,}

- (2) The results of any experiment or research program or study conducted or participated in by the Institute shall be made available to the public and the property in any product thereof and in any right protected or protectable by patent or copyright arising from such experiment or research program or study is vested in the Board for the Institute and shall be made available for use by the public without charge. ^{Result of research public property}

2. This Act comes into force on the day it receives Royal Assent. ^{Commence-ment}

3. This Act may be cited as *The Ontario Institute for Studies in Education Amendment Act, 1970*. ^{Short title}

An Act to amend
The Ontario Institute for Studies
in Education Act, 1965

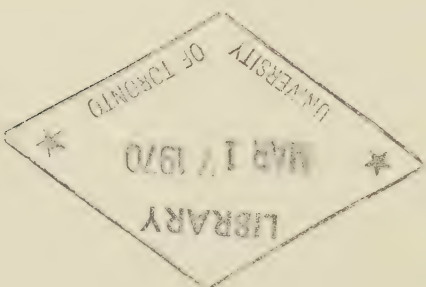
1st Reading

March 3rd, 1970

2nd Reading

3rd Reading

MR. REID (Scarborough East)



BILL 22

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to provide for the Appointment of a
Commissioner to investigate Administrative
Decisions and Acts of Officials of the Govern-
ment of Ontario and its Agencies, and to
define the Commissioner's Powers and Duties**

MR. SINGER

BILL 22

1970

An Act to provide for the Appointment of a Commissioner to investigate Administrative Decisions and Acts of Officials of the Government of Ontario and its Agencies, and to define the Commissioner's Powers and Duties

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "agency" means an agency of the Government of Ontario;
- (b) "Commissioner" means the Commissioner of the Legislature appointed under this Act;
- (c) "department" means a department of the Government of Ontario;
- (d) "minister" means a member of the Executive Council.

2. There shall be appointed by the Lieutenant Governor in ^{Appoint-}
Council on the recommendation of the Assembly as an officer ment
of the Legislature a commissioner, to be called the Commissioner of the Legislature, who shall exercise the powers and perform the duties specified in this Act.

3. The Commissioner shall not be a member of the ^{To hold}
Assembly and shall not hold any office of trust or profit, ^{no other}
other than his office as Commissioner, or engage in any occupa- office
tion for reward outside the duties of his office.

4.—(1) The recommendation for the appointment of the ^{Term of}
Commissioner shall be made in the first session of every office
Legislature.

**Re-appoint-
ment**

(2) Unless his office sooner becomes vacant, every person appointed as Commissioner shall hold office until his successor is appointed, and every such person may from time to time be re-appointed.

Resignation

(3) The Commissioner may at any time resign his office by a writing addressed to the Speaker of the Assembly or, if there is no Speaker or if the Speaker is absent from Ontario, to the Clerk of the Assembly.

**Removal
from office**

5.—(1) The Commissioner may at any time be removed or suspended from his office by the Lieutenant Governor in Council on the recommendation of the Assembly for disability, neglect of duty, misconduct or upon a bankruptcy.

**Suspension
when
Legislature
not in
session**

(2) At any time when the Legislature is not in session, the Commissioner may be suspended from his office by the Lieutenant Governor in Council for disability, neglect of duty, misconduct or upon a bankruptcy proved to the satisfaction of the Lieutenant Governor in Council, but any such suspension shall not continue in force beyond the end of the next ensuing session of the Legislature.

**Filling of
vacancy**

6.—(1) If the Commissioner dies, retires, resigns or is removed from office, the vacancy thereby created shall be filled in accordance with this section.

**When
Legislature
in session**

(2) If a vacancy in the office of Commissioner occurs at any time while the Legislature is in session, it shall be filled by the appointment of a Commissioner by the Lieutenant Governor in Council on the recommendation of the Assembly, but, if the vacancy occurs less than one month before the end of that session and no such recommendation is made in that session, subsection 3 applies as if the vacancy had occurred while the Legislature was not in session.

**When
Legislature
not in
session**

(3) If such a vacancy occurs at any time while the Legislature is not in session, the Lieutenant Governor in Council may appoint a Commissioner to fill the vacancy, and the person so appointed shall, unless his office sooner becomes vacant, hold office until his appointment is confirmed by the Assembly, and, if the appointment is not so confirmed within two months after the commencement of the next ensuing session, the appointment lapses, and there shall be deemed to be another vacancy in the office of Commissioner.

**Oath of
office**

7.—(1) Before entering upon his duties, the Commissioner shall take an oath that he will faithfully and impartially perform the duties of his office and that he will not, except in accordance with subsection 3 of section 16, divulge any information received by him under this Act.

(2) The oath shall be administered by the Speaker of the ^{Idem} Assembly or by the Clerk of the Assembly.

8.—(1) Subject to subsection 2, the Commissioner may ^{Staff} appoint such officers and employees as may be necessary for the efficient carrying out of his functions under this Act.

(2) The number of persons that may be appointed under ^{Idem} this section, whether generally or in respect of any specified duties or class of duties, shall from time to time be determined by the Lieutenant Governor in Council.

9.—(1) The principal function of the Commissioner is to ^{Functions} investigate any decision or recommendation made, including any recommendation made to a minister, or any act done or omitted, relating to a matter of administration and affecting any person or body of persons in his or its personal capacity, in or by any department or agency, or by any officer, employee or member thereof in the exercise of any power or function conferred on him by any Act.

(2) The Commissioner may make any such investigation ^{Initiation of investigation} either on a complaint made to him by any person or of his own motion, and he may commence any such investigation notwithstanding that the complaint may not on its face be against any such decision, recommendation, act or omission as aforesaid.

(3) Without limiting subsection 1, any committee of the ^{Referrals by committees} Assembly may at any time refer to the Commissioner, for investigation and report by him, any petition that is before that committee for consideration or any matter to which the petition relates, and, in any such case, the Commissioner shall, subject to any special directions of the committee, investigate the matters so referred to him so far as they are within his jurisdiction and make such report to the committee as he thinks fit, but nothing in section 12, 17 or 18 applies in respect of any investigation or report made under this subsection.

(4) The powers and duties conferred on the Commissioner ^{Powers and duties paramount} by this Act may be exercised and performed notwithstanding any provision in any Act to the effect that any decision, recommendation, act or omission mentioned in subsection 1 is final, or that no appeal lies in respect thereof, or that no proceeding or decision of the person or organization whose decision, recommendation, act or omission it is shall be challenged, reviewed, quashed or called in question.

(5) Nothing in this Act authorizes the Commissioner to ^{Areas outside jurisdiction} investigate,

- (a) any decision, recommendation, act or omission in respect of which there is under any Act a right of appeal or objection or a right to apply for a review on the merits of the case to any court or to any tribunal constituted by or under any Act, whether or not that right of appeal or objection or application has been exercised in the particular case and whether or not any time prescribed for the exercise of that right has expired; or
- (b) any decision, recommendation, act or omission of any person acting as a solicitor for the Crown or acting as counsel for the Crown in relation to any proceedings.

Determina-
tion of
jurisdiction

(6) If any question arises as to whether the Commissioner has jurisdiction to investigate any case or class of cases under this Act, he may, if he thinks fit, apply to the Supreme Court for a declaratory order determining the question.

Guide
rules

10.—(1) The Assembly may from time to time, if it thinks fit, make general rules for the guidance of the Commissioner in the exercise of his functions, and may at any time in like manner revoke or vary any such rules.

Publication
of reports

(2) Any such rules may authorize the Commissioner from time to time, in the public interest or in the interests of any person or department or agency, to publish reports relating generally to the exercise of his functions under this Act or to any particular case or cases investigated by him, whether or not the matters to be dealt with in any such report have been the subject of a report to the Assembly under this Act.

Publication
of rules

(3) All such rules shall be printed and published.

Mode of
complaint

11.—(1) Every complaint to the Commissioner shall be made in writing.

Letters
to be
forwarded

(2) Notwithstanding any Act, where a letter written by any person in custody on a charge or after conviction of any offence, or by any inmate of any private sanitarium within the meaning of *The Private Sanitaria Act* or an institution within the meaning of *The Mental Hospitals Act*, is addressed to the Commissioner, it shall be immediately forwarded, unopened, to the Commissioner by the person for the time being in charge of the place or institution where the writer of the letter is detained or of which he is an inmate.

R.S.O. 1960,
cc. 307, 236

Commis-
sioner may
refuse to
investigate
complaint

12.—(1) If in the course of the investigation of any complaint it appears to the Commissioner,

- (a) that under the law or existing administrative practice there is an adequate remedy, other than the right to petition the Legislature, for the complainant, whether or not he has availed himself of it; or
- (b) that, having regard to all the circumstances of the case, any further investigation is unnecessary,

he may in his discretion refuse to investigate the matter further.

(2) Without limiting the generality of the powers conferred on the Commissioner by this Act, the Commissioner may in his discretion decide not to investigate, or, as the case may require, not to further investigate, any complaint if it relates to any decision, recommendation, act or omission of which the complainant has had knowledge for more than twelve months before the complaint is received by the Commissioner, or if in his opinion,

- (a) the subject-matter of the complaint is trivial;
- (b) the complaint is frivolous or vexatious or is not made in good faith; or
- (c) the complainant has not a sufficient personal interest in the subject-matter of the complaint.

(3) In any case where the Commissioner decides not to investigate or further investigate a complaint, he shall inform the complainant of his decision, and he may, if he thinks fit, state his reasons therefor.

13.—(1) Before investigating any matter under this Act, the Commissioner shall inform the deputy minister of the department affected, or, as the case may require, the administrative head of the agency affected, of his intention to make the investigation.

(2) Every investigation by the Commissioner under this Act shall be conducted in private.

(3) The Commissioner may hear or obtain information from such persons as he thinks fit, and he may make such inquiries as he thinks fit.

(4) It is not necessary for the Commissioner to hold any hearing and no person is entitled as of right to be heard by the Commissioner, but, if at any time during the course of an investigation it appears to the Commissioner that there

may be sufficient grounds for his making a report or recommendation that may adversely affect any department, agency or person, he shall give to that department, agency or person an opportunity to be heard, and at any such hearing the department, agency or person is entitled to counsel.

Con-
sulta-
tions

(5) The Commissioner may in his discretion, at any time during or after any investigation, consult any minister who is concerned in the matter of the investigation.

Idem

(6) On the request of any minister in relation to an investigation or in any case where an investigation relates to any recommendation made to a minister, the Commissioner shall consult that minister after making the investigation and before forming a final opinion on any of the matters referred to in subsection 1 or 2 of section 17.

Misconduct

(7) If, during or after any investigation, the Commissioner is of opinion that there is evidence of any breach of duty or misconduct on the part of any officer or employee of any department or agency, he shall refer the matter to the appropriate authority.

Regulation
of procedure

(8) Subject to this Act and any rules made under section 10, the Commissioner may regulate his procedure in such manner as he thinks fit.

Evidence

14.—(1) Subject to this section and section 15, the Commissioner may from time to time require any person who in his opinion is able to give any information relating to any matter that is being investigated by him to furnish to him any such information and to produce any such document, paper or thing that in his opinion relates to any such matter and that may be in the possession or under the control of such person, whether or not such person is an officer, employee or member of a department or agency, and whether or not such document, paper or thing is in the custody or under the control of any such department or agency.

Power
to take
evidence
on oath

(2) The Commissioner may summon before him and examine on oath,

- (a) any person who is an officer or employee or member of any department or agency and who in the Commissioner's opinion is able to give any information mentioned in subsection 1;
- (b) any complainant; or
- (c) with the prior approval of the Minister of Justice and Attorney General in each case, any other person who in the Commissioner's opinion is able to give such information,

and for that purpose may administer an oath.

(3) Subject to subsection 4, no person who is bound by any Act to maintain secrecy in relation to, or not to disclose, any matter shall be required to supply any information to or answer any question put by the Commissioner in relation to that matter, or to produce to the Commissioner any document, paper or thing relating to it, if compliance with that requirement would be in breach of the obligation of secrecy or non-disclosure. ^{Duty to maintain secrecy paramount}

(4) With the prior consent in writing of a complainant, any person to whom subsection 3 applies may be required by the Commissioner to supply information or answer any question or produce any document, paper or thing relating only to the complainant, and it is the duty of the person to comply with such requirement. ^{Idem}

(5) Every person has the same privileges in relation to the giving of information, the answering of questions and the production of documents, papers and things under this Act as witnesses have in any court. ^{Privilege}

(6) Except on the trial of a person for perjury, no statement made or answer given by that or any other person in the course of any inquiry by or any proceedings before the Commissioner is admissible in evidence against any person in any court or at any inquiry or in any other proceedings, and no evidence in respect of proceedings before the Commissioner shall be given against any person. ^{Evidence not admissible elsewhere}

(7) No person is liable to prosecution for an offence against any Act by reason of his compliance with any requirement of the Commissioner under this section. ^{No prosecution}

15.—(1) Where the Minister of Justice and Attorney General certifies that the giving of any information or the answering of any question or the production of any document, paper or thing might involve the disclosure of, ^{Disclosure of certain matters not to be required}

(a) the deliberations of the Executive Council; or

(b) proceedings of the Executive Council, or any committee thereof, relating to matters of a secret or confidential nature, and would be injurious to the public interest,

the Commissioner shall not require the information or answer to be given or, as the case may be, the document, paper or thing to be produced, but shall report the giving of such a certificate to the Legislature.

Rule as to
privileged
documents,
etc., does
not apply

(2) Subject to subsection 1, the rule of law that authorizes or requires the withholding of any document, paper or thing, or the refusal to answer any question, on the ground that the disclosure of the document, paper or thing or the answering of the question would be injurious to the public interest, does not apply in respect of any investigation by or proceedings before the Commissioner.

Secrecy

16.—(1) The Commissioner and every person holding any office or appointment under him shall maintain secrecy in respect of all matters that come to their knowledge in the exercise of their functions.

Oath

(2) Every person holding any office or appointment under the Commissioner shall, before he begins to perform his duties under this Act, take an oath, to be administered by the Commissioner, that he will not divulge any information received by him under this Act except for the purpose of giving effect to this Act.

Exception

(3) Notwithstanding subsection 1, the Commissioner may disclose in any report made by him under this Act such matters as in his opinion ought to be disclosed in order to establish grounds for his conclusions and recommendations.

Procedure
after
investigation

17.—(1) This section applies in every case where, after making any investigation under this Act, the Commissioner is of opinion that the decision, recommendation, act or omission that was the subject-matter of the investigation,

(a) appears to have been contrary to law;

(b) was unreasonable, unjust, oppressive, improperly discriminatory or was, in accordance with a rule of law or a provision of any Act or a practice that is or may be unreasonable, unjust, oppressive or improperly discriminatory;

(c) was based wholly or partly on a mistake of law or fact; or

(d) was wrong.

Idem

(2) This section also applies in any case where the Commissioner is of opinion that in the making of the decision or recommendation, or in the doing or omission of the act, a discretionary power has been exercised for an improper purpose or on irrelevant grounds or on the taking into account of irrelevant considerations, or that, in the case of a decision made in the exercise of any discretionary power, reasons should have been given for the decision.

(3) If in any case to which this section applies the Commissioner is of opinion, Opinion, etc., to be reported to department

- (a) that the matter should be referred to the appropriate authority for further consideration;
- (b) that the omission should be rectified;
- (c) that the decision should be cancelled or varied;
- (d) that any practice on which the decision, recommendation, act or omission was based should be altered;
- (e) that any law on which the decision, recommendation, act or omission was based should be reconsidered;
- (f) that reasons should have been given for the decision; or
- (g) that any other steps should be taken,

the Commissioner shall report his opinion and his reasons therefor to the appropriate minister and to the department or agency concerned, and may make such recommendations as he thinks fit, and in any such case he may request the department or agency to notify him, within a specified time, of the steps, if any, that it proposes to take to give effect to his recommendations.

(4) If within a reasonable time after the report is made no action is taken that seems to the Commissioner to be adequate and appropriate, the Commissioner, in his discretion, after considering the comments, if any, made by or on behalf of the department or agency affected, may send a copy of the report and recommendations to the Lieutenant Governor in Council and may thereafter make such report to the Legislature on the matter as he thinks fit. Report to Cabinet and Assembly

(5) The Commissioner shall attach to every report sent or made under subsection 4 a copy of any comments made by or on behalf of the department or agency concerned. Idem

(6) Notwithstanding anything in this section, the Commissioner shall not, in any report made under this Act, make any comment that is adverse to any person unless the person has been given an opportunity to be heard. Comment adverse to person

18.—(1) Where on any investigation under this Act the Commissioner makes a recommendation under subsection 3 of section 17 and no action that seems to the Commissioner to Complainant to be informed of result of investigation

be adequate and appropriate is taken thereon within a reasonable time, the Commissioner shall inform the complainant of his recommendation and make such comments on the matter as he thinks fit.

Idem

(2) The Commissioner shall in any case inform the complainant, in such manner and at such time as he thinks proper, of the result of the investigation.

Private
clause

19. No proceedings of the Commissioner shall be held bad for want of form and, except on the ground of lack of jurisdiction, no proceedings or decision of the Commissioner shall be challenged, reviewed, quashed or called in question in any court.

Proceedings
privileged

20.—(1) No proceedings lie against the Commissioner or against any person holding any office or appointment under the Commissioner for anything he may do or report or say in the course of the exercise or intended exercise of his functions under this Act, unless it is shown that he acted in bad faith.

Not
compellable
as witnesses

(2) Neither the Commissioner nor any person holding any office or appointment under the Commissioner shall be called upon to give evidence in any court or in any proceedings of a judicial nature in respect of anything coming to his knowledge in the exercise of his functions under this Act.

Privilege

(3) Anything said or any information supplied or any document, paper or thing produced by any person in the course of any inquiry by or proceedings before the Commissioner under this Act is privileged in the same manner as if the inquiry or proceedings were proceedings in a court.

Idem
R.S.O. 1960,
c. 211

(4) For the purposes of *The Libel and Slander Act*, any report made by the Commissioner under this Act shall be deemed to be privileged, and a fair and accurate report in a newspaper or a broadcast shall be deemed to be privileged.

Power
to enter
premises

21.—(1) For the purposes of this Act but subject to this section, the Commissioner may at any time enter upon any premises occupied by any department or agency and inspect the premises and, subject to sections 14 and 15, carry out therein any investigation that is within his jurisdiction.

Notice

(2) Before entering upon any such premises, the Commissioner shall notify the deputy minister of the department or, as the case may require, the administrative head of the agency that occupies the premises of his intention so to do.

22.—(1) With the prior approval of the Lieutenant Governor in Council, the Commissioner may from time to time, by writing under his hand, delegate to any person holding any office under him any of his powers under this Act, except this power of delegation and the power to make any report under this Act. Delegation of powers

(2) Any such delegation may be made to a specified person or to the holder for the time being of a specified office or to the holders of offices of a specified class. To whom powers may be delegated

(3) Every such delegation is revocable at will, and no such delegation prevents the exercise of any power by the Commissioner. Delegations revocable

(4) Any such delegation may be made subject to such restrictions and conditions as the Commissioner thinks fit, and may be made either generally or in relation to any particular case or class of cases. Scope of delegations

(5) Until any such delegation is revoked, it continues in force according to its tenor and, in the event of the Commissioner by whom it was made ceasing to hold office, continues to have effect as if made by his successor. Life of delegations

(6) Any person purporting to exercise any power of the Commissioner by virtue of such a delegation shall, when required to do so, produce evidence of his authority to exercise the power. Evidence of delegated powers

23. Without limiting his right to report at any other time, but subject to subsection 6 of section 17 and to any rules made under section 10, the Commissioner shall in each year make a report to the Legislature on the exercise of his functions under this Act. Annual report

24. Every person commits an offence against this Act and is liable on summary conviction to a fine of not more than \$500 who, Offences

- (a) without lawful justification or excuse, wilfully obstructs, hinders or resists the Commissioner or any other person in the exercise of his powers under this Act;
- (b) without lawful justification or excuse, refuses or wilfully fails to comply with any lawful requirement of the Commissioner or any other person under this Act; or

- (c) wilfully makes any false statement to or misleads or attempts to mislead the Commissioner or any other person in the exercise of his powers under this Act.

Provisions
are in
addition
to other
laws

25. The provisions of this Act are in addition to the provisions of any other Act or any rule of law under which any remedy or right of appeal or objection is provided for any person or any procedure is provided for the inquiry into or investigation of any matter, and nothing in this Act limits or affects any such remedy or right of appeal or objection or procedure.

Short title

26. This Act may be cited as *The Commissioner of the Legislature Act, 1970*.

An Act to provide for the Appointment of a Commissioner to investigate Administrative Decisions and Acts of Officials of the Government of Ontario and its Agencies, and to define the Commissioner's Powers and Duties

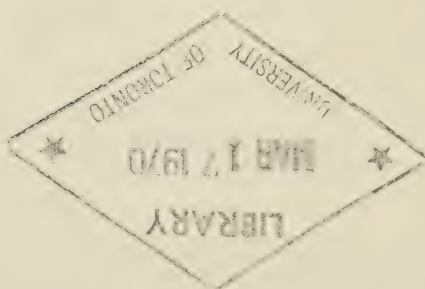
1st Reading

March 4th, 1970

2nd Reading

3rd Reading

MR. SINGER



BILL 23

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Public Schools Act

MR. MARTEL

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The amendment would permit a public school board, by agreement, to use facilities of a separate school board. This is complementary to a corresponding provision in *The Separate Schools Act* by which a separate school board may, by agreement, use facilities of a public school board.

BILL 23

1970

An Act to amend The Public Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Public Schools Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 330, s. 6, amended

(12a) A public school board and a separate school board may by agreement provide that, where accommodation is available in the schools operated by the separate school board, as certified by the separate school inspector, the separate school board shall furnish education in such course or courses as are not available in the public schools operated by the public school board for part or all of the pupils of such public schools, and the public school board shall pay to the separate school board for each of such pupils a fee not in excess of that calculated in accordance with section 100a of *The Schools Administration Act*. Agreements between public and separate school boards
R.S.O. 1960, c. 361

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Public Schools Amendment Act, 1970*. Short title

An Act to amend
The Public Schools Act

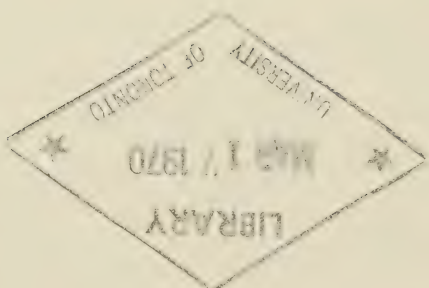
1st Reading

March 4th, 1970

2nd Reading

3rd Reading

MR. MARTEL

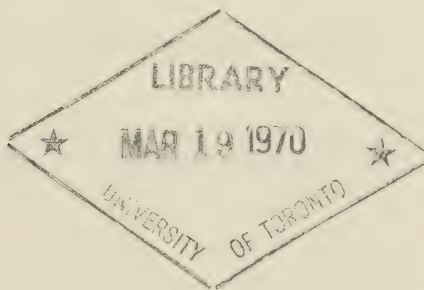


BILL 24

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The University of Toronto Act, 1947

MR. REID (Scarborough East)



EXPLANATORY NOTE

The Bill replaces the present Board of Governors and Senate of the University of Toronto with a single-tier governing body known as the Governing Council, comprising lay, faculty and student representation together with certain *ex officio* academic administrators. Its powers and functions are specified as are those of the President and the Chancellor. A broadly-based University Assembly is created to provide a mass communication linkage and sounding board when such is considered in the interest of the University by the Governing Council.

BILL 24

1970

An Act to amend The University of Toronto Act, 1947

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 16, section 17 as re-enacted by section 1 of ^{1947, c. 112, ss. 16, 17} *The University of Toronto Amendment Act, 1958*, and sections ^{(1958, c. 119, s. 1), 18-29,} 18 to 29 of *The University of Toronto Act, 1947* are repealed ^{re-enacted} and the following substituted therefor:

16. In sections 17 to 28,

Interpre-
tation

- (a) "faculty" means the full-time members of the academic staff of the University;
- (b) "Faculty" means an academic division of the University as determined by the Governing Council;
- (c) "Faculty council" means the governing body of a Faculty;
- (d) "graduate" means a person who holds a degree, diploma or certificate granted by the University;
- (e) "President" means the President of the University;
- (f) "student" means a person registered as a student of the University who is enrolled in a course of study leading to any such degree, diploma, or certificate of the University as may be established by the Governing Council;
- (g) "University" means the University of Toronto, and includes University College.

University
continued

17.—(1) The University of Toronto is continued.

Body
corporate

(2) The members of the Governing Council established in accordance with this Act, and their successors, are hereby created a body corporate with perpetual succession and a common seal under the name of the University of Toronto.

Governing
Council, how
composed

18. The Governing Council shall consist of,

(a) the President;

(b) not more than ten members appointed by the Lieutenant Governor in Council, of whom five shall be appointed after consultation with the Governing Council;

(c) twenty members elected by the faculty from among the faculty;

(d) twenty members elected by the students from among the students;

(e) ten members, who shall be neither students nor members of the faculty, elected by the graduates;

(f) not more than four members appointed by the President; and

(g) one member who shall be the President of Victoria University or the President of the University of St. Michael's College or the Provost of Trinity College.

President

19.—(1) The President shall be a member of the Governing Council during his tenure of the office of President.

Tenure of
office

(2) Of the members initially appointed under clause *b* of section 18 not more than three shall hold office for one year, not more than three for two years and not more than four for three years.

Idem

(3) The members initially appointed by the Lieutenant Governor in Council may be reappointed to a second term of three years, and to further terms subject to the provisions governing eligibility for reappointment laid down in subsection 4.

- (4) When the terms of the initial appointees have expired, ^{Idem} members may be appointed in succession thereafter, to the number provided, to hold office for a term of three years or for two successive terms each of three years, but shall not be eligible for reappointment during the three year period following the expiry of the second term in any group of two and, subject to this condition, may be reappointed without limit.
- (5) Of the members initially elected by the faculty ^{Idem} under clause *c* of section 18, six shall be elected to hold office for one year, seven for two years and seven for three years.
- (6) The members initially elected for a term of one year ^{Idem} shall be eligible for immediate re-election for a further term of three years but shall not be eligible for re-election during the three year period immediately following the expiry of such further term, thereafter their re-election shall be governed by subsection 8.
- (7) The members initially elected for terms of two and ^{Idem} three years shall not be eligible for re-election during the three year period immediately following the expiry of their terms of office, thereafter their re-election shall be governed by subsection 8.
- (8) Subject to subsections 5, 6 and 7, members elected ^{Idem} to hold office under clause *c* of section 18 shall hold office for a term of three years and may be re-elected to further terms provided that they shall not be eligible for re-election during the three year period following the expiry of any three year term.
- (9) The members elected by the students under clause ^{Idem} *d* of section 18 shall hold office for a term of one year and shall be eligible for re-election for further one year terms provided that they shall not be eligible for re-election during the year following any three successive terms.
- (10) Of the members initially elected by the graduates, ^{Idem} three shall be elected to hold office for one year, three for two years and four for three years.
- (11) The members elected by the graduates, including ^{Idem} those initially elected, shall be eligible for election and re-election on the same terms that apply to appointments and reappointments under subsections 2, 3 and 4.

- | | |
|-----------------------------|--|
| Idem | (12) The members appointed by the President under clause <i>f</i> of section 18 shall hold office for one year and may be reappointed for a further term or terms. |
| Idem | (13) The persons who are members by virtue of clause <i>g</i> of section 18 shall each serve for a term of one year in the order set out therein. |
| Assessor members | 20. The Governing Council may elect, subject to such terms and conditions as it shall prescribe, not more than ten assessor members who shall have all the rights, duties and privileges of membership except the right to vote. |
| Initial elections | 21. The manner and procedure for the initial election of members to the Governing Council by the faculty, the student body and the graduates shall be determined by the President; thereafter these matters shall be as determined by the Governing Council. |
| Powers of Governing Council | <p>22. The government, management and control of the University and of its property, revenues, expenditures, business and affairs, including all matters of academic and educational policy, and including all powers formerly vested in or exercised by the Board of Governors and the Senate pursuant to <i>The University of Toronto Act, 1947</i> are vested in the Governing Council which has all powers necessary or convenient to perform the duties and achieve the objects of the University, and without limiting the generality of the foregoing, power to,</p> <ul style="list-style-type: none"> (a) appoint and remove the President and the Chancellor; (b) appoint, promote and remove all members of the teaching and administrative staffs of the University and all such other officers and employees as the Governing Council may deem necessary or advisable for the purposes of the University; (c) fix the number, duties, salaries and other emoluments of officers, agents and employees of the University; (d) establish an executive committee and such other committees as the Governing Council may deem advisable and appoint the chairmen thereof (subject to subsections 1 and 2 of section 23); fix the quorum for committee |

meetings (subject to subsection 1 of section 24); give or withhold from the chairmen thereof a casting vote and delegate to any such committee any of the powers of the Governing Council;

- (e) continue, terminate or establish Faculties, schools, institutes, departments, chairs, councils and such other divisions or offices as the Governing Council may deem necessary or desirable;
- (f) determine and regulate the standards for the admission of students to the University, the contents and curricula of all courses of study and the requirements for graduation;
- (g) conduct examinations and appoint examiners;
- (h) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards for academic achievement;
- (i) grant and confer degrees of Bachelor, Master and Doctor and all other degrees, diplomas and certificates in all branches of learning that may properly be conferred by a University;
- (j) grant and confer honorary degrees;
- (k) delegate such of its powers as it may deem fit with respect to clauses *f*, *g*, *h* and *i* to any Faculty council;
- (l) delegate to any person or persons the power to make appointments to any office or position authorized by the Governing Council except those of President, Chancellor, Dean, Director, Chairman of a department, or Secretary to the Governing Council;
- (m) declare or recognize a vacancy in any office, including membership of the Governing Council, and take such steps as are necessary or proper to fill or cause to be filled any vacancy including any unexpired term of membership of the Governing Council, by appointment or election as may be appropriate in accordance with this Act;

- (n) settle the manner and procedure of election to membership in the Governing Council pursuant to section 18 and subject to section 21 and conduct such elections as are necessary;
- (o) after the initial elections pursuant to this Act, define "student" and "faculty" for the purpose of elections thereafter notwithstanding anything in this Act, should the definitions in this Act be considered by the Governing Council to require amendment;
- (p) elect a chairman and fix the quorum for the Governing Council (subject to subsection 2 of section 24); and
- (q) make such by-laws and regulations as in the opinion of the Governing Council are necessary for the conduct of the affairs of the University and the Governing Council.

Executive
committee

23.—(1) The Governing Council shall establish an executive committee composed of the President, three members appointed by and from among the student members of the Governing Council, three members appointed by and from among the faculty members of the Governing Council and three members appointed by and from among the group composed of the appointees of the Lieutenant Governor in Council and the representatives of the graduates.

Standing
committee

(2) The Governing Council may establish standing committees, the membership of which shall include in each case not less than two members appointed by and from among the faculty members of the Governing Council, not less than two members appointed by and from among the student members of the Governing Council and not less than two members appointed by and from among the group composed of the appointees of the Lieutenant Governor in Council and the representatives of the graduates.

Co-opted
members

(3) Any committee of the Governing Council may, subject to the approval of the Governing Council, elect to its membership, as co-opted members, persons who are not members of the Governing Council. Co-opted members shall have the same status on the committee as any other committee member, including the right to vote but a co-opted member shall not thereby become a member of the Governing Council or acquire any rights with

respect to it. Not more than one-half of the aggregate membership of any committee shall be composed of co-opted members.

- 24.—(1) A quorum of any committee of the Governing Council shall consist of not less than one-half of the members of the committee who are also members of the Governing Council. ^{Quorum}
- (2) The initial quorum for the Governing Council shall consist of forty-four members holding office pursuant to section 18, thereafter the quorum shall be as the Governing Council may decide. ^{Idem}
25. The Governing Council shall appoint a senior officer to be designated "Secretary to the Governing Council" who shall be responsible for all administrative services required by the Governing Council and who shall be the head of the Governing Council's secretariat. ^{Secretary}
- 26.—(1) There shall be a President of the University. ^{President}
- (2) The President shall be appointed to serve for a term of not more than five years upon such conditions as the Governing Council shall prescribe and may be appointed to serve for a further term. ^{Term of office}
- (3) The Governing Council may, in the absence of the President, and shall in the event of a vacancy in the office of President, appoint an acting President upon such terms and conditions as the Governing Council may prescribe. ^{Vacancy in office}
- (4) The President shall be the chief executive officer of the University. ^{Chief executive officer}
- (5) The President may appoint, upon such terms and conditions as the Governing Council shall prescribe, such executive officers as he may require to assist him. ^{Assistant executive officers}
- (6) The President may appoint not more than four members of the Governing Council pursuant to clause f of section 18. ^{Appointment by President}
- (7) The President may, in his discretion, delegate any of his duties to the Chancellor or to any executive officer or to any other person. ^{Delegation}
- 27.—(1) There shall be a Chancellor of the University. ^{Chancellor}

Member of Governing Council	(2) The Chancellor shall be an assessor member of the Governing Council with the rights, duties and privileges set out in section 20.
Duties	(3) The Chancellor shall assist the President in representing the University to the community at large and shall carry out such ceremonial and other duties as the President may assign.
Presides at Assembly	(4) The Chancellor shall preside at the meetings of the University Assembly.
University Assembly	28.—(1) There shall be a University Assembly composed of all members of the University community including the members and assessor members of the Governing Council, the co-opted members of any committee, the faculty, students, alumni, administrative and other support staff and other persons as may be determined by the Governing Council.
Meetings	(2) The Governing Council may call and hold meetings of the University Assembly for such purposes as the Governing Council may determine.
Reference to Board of Governors or Senate	29. Any reference in this Act to the Board of Governors or to the Senate shall be deemed to be a reference to the Governing Council.

1947, c. 112,
ss. 30-67
repealed

2. The following sections of *The University of Toronto Act*, 1947 are repealed:

1. Section 30.
2. Section 31, as amended by section 5 of *The University of Toronto Amendment Act*, 1959.
3. Section 32, as amended by section 6 of *The University of Toronto Amendment Act*, 1959.
4. Section 33, as amended by section 2 of *The University of Toronto Amendment Act*, 1955.
5. Sections 34 and 35.
6. Section 36, as re-enacted by section 7 of *The University of Toronto Amendment Act*, 1959.
7. Section 37.
8. Section 38, as re-enacted by section 2 of *The University of Toronto Amendment Act*, 1953.

9. Sections 39 to 41.
10. Section 42, as re-enacted by section 3 of *The University of Toronto Amendment Act, 1955* and amended by section 8 of *The University of Toronto Amendment Act, 1959* and subsection 2 of section 30 of *The University of Toronto Amendment Act, 1964*.
11. Sections 43 to 48.
12. Section 49, as amended by section 9 of *The University of Toronto Amendment Act, 1959*.
13. Sections 50 to 61.
14. Section 62, as re-enacted by section 4 of *The University of Toronto Amendment Act, 1955* and amended by section 10 of *The University of Toronto Amendment Act, 1959*.
15. Sections 63 to 67, as re-enacted by section 4 of *The University of Toronto Amendment Act, 1955*.

3. This Act comes into force on a day to be named by the ^{Commence-}ment
Lieutenant Governor by his Proclamation.

4. This Act may be cited as *The University of Toronto* ^{Short title}
Amendment Act, 1970.

An Act to amend
The University of Toronto Act, 1947

1st Reading

March 4th, 1970

2nd Reading

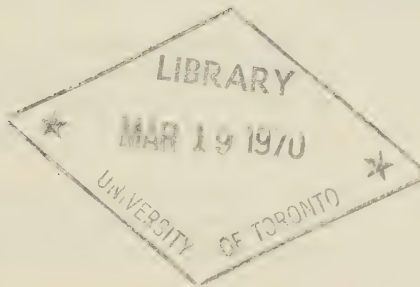
3rd Reading

MR. REID (Scarborough East)

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

The Education Transportation Authority Act, 1970

MR. PITMAN



EXPLANATORY NOTE

The Bill establishes an Education Transportation Authority and specifies its powers and duties.

BILL 25

1970

The Education Transportation Authority Act, 1970

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** In this Act, "Authority" means the Education Transportation Authority. Interpretation
- 2.** There shall be an Education Transportation Authority Appointment of Authority consisting of not fewer than five members appointed by the Lieutenant Governor in Council.
- 3.** The Lieutenant Governor in Council may designate one Chairman of the members of the Authority to be chairman.
- 4.** Three members of the Authority constitute a quorum. Quorum
- 5.** It is the duty of the Authority and it has the power to, Powers and duties of Authority
 - (a) provide advice to boards of education respecting the safety of school bus routes, the effective scheduling of bus routes and routine procedures to be followed in connection with such bus routes;
 - (b) provide courses for those persons who drive school buses, related to driving skills, safety procedures and the methods of handling groups of pupils in buses;
 - (c) provide advice to boards of education, principals, teachers, parents and students respecting proper standards of comportment for persons in school buses;
 - (d) provide a testing program for persons responsible for administering the transportation of pupils in school buses and for persons who drive school buses; and

- (e) provide information and assistance in the use of computers in arranging school bus schedules in order to make more effective use of educational facilities.

Regulations

6. The Authority, subject to the approval of the Lieutenant Governor in Council, may make regulations,

- (a) prescribing standards of safety applicable to motor vehicles used for transporting elementary or secondary school pupils to and from school;
- (b) prescribing a uniform method of identification of motor vehicles used for transporting pupils in school buses;
- (c) prescribing courses for the purposes of clause *b* of section 5;
- (d) prescribing a testing program for the purposes of clause *d* of section 5;
- (e) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Education Transportation Authority Act, 1970*.

The Education Transportation
Authority Act, 1970

1st Reading

March 4th, 1970

2nd Reading

3rd Reading

MR. PITMAN

BILL 26

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Theatres Act

MR. BEN

EXPLANATORY NOTE

The Act now applies only to projecting moving pictures from film transparencies. The amendment would extend the application of the Act to other methods of producing moving pictures in line with modern technological developments.

An Act to amend The Theatres Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *c* of section 1 of *The Theatres Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 396, s. 1,
cl. *c*,
re-enacted

- (*c*) “film” means the medium on which is stored an agency or means capable of transducing an optical image, an electronic signal, a magnetic flux or an electrostatic charge to a viewable visual image.

(2) Clause *e* of the said section 1 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 396, s.1,
cl. *e*,
re-enacted

- (*e*) “film exchange” means the business of renting, leasing, selling or distributing film.

(3) Clauses *h* and *i*, clause *j* as amended by section 1 of *The Theatres Amendment Act, 1960-61*, and clauses *k*, *l*, *n*, *o* and *p* of the said section 1 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 396, s. 1,
cls. *h-j*,
re-enacted
cls. *k, l, n-p*,
repealed

- (*h*) “projection equipment” or “projector” means the equipment necessary or used for the transducing from a film to moving images, including equipment for accompanying sound;

- (*i*) “projection room” means the room in which projection equipment is located while in use;

- (*j*) “projectionist” means a person who operates projection equipment.

2. This Act comes into force on the 1st day of January, 1971.

Commence-
ment

3. This Act may be cited as *The Theatres Amendment Act*.

Short title

An Act to amend
The Theatres Act

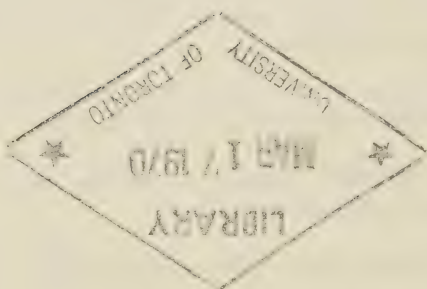
1st Reading

March 4th, 1970

2nd Reading

3rd Reading

MR. BEN



BILL 27

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Planning Act

MR. APPS

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

The amendment would permit municipalities to preserve the character of historic and architectural features in the municipality.

BILL 27

1970

An Act to amend The Planning Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 30 of *The Planning Act*, as amended by section 9 of *The Planning Amendment Act, 1962-63*, is further amended by adding thereto the following paragraphs: R.S.O. 1960, c. 296, s. 30, subs. 1, amended

7. Designating buildings or structures as buildings or structures of historical or architectural value or interest and, Historic buildings

(a) prohibiting the demolition of such buildings and structures and, for the purpose of preserving their historical or architectural value, prohibiting or regulating their alteration and use;

(b) acquiring or leasing such buildings or structures for the purpose of preserving their historical and architectural value and their enjoyment by the public;

(c) making grants to the owners of such buildings or structures for the purpose of their renovation, restoration or maintenance.

8. Designating historic and architectural conservation areas and regulating the use that may be made of land, buildings and structures in such area for the purpose of preserving the historical and architectural character of the area. Historic and architectural conservation areas

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Planning Amendment Act, 1970*. Short title

An Act to amend
The Planning Act

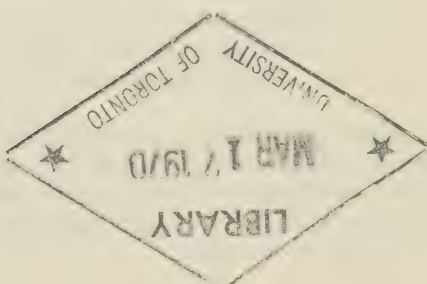
1st Reading

March 4th, 1970

2nd Reading

3rd Reading

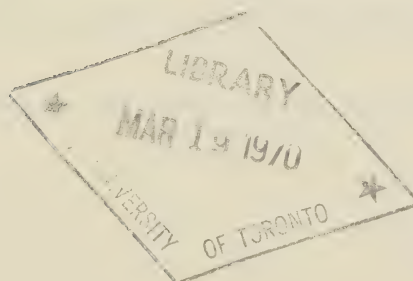
MR. APPS



3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. REID (Scarborough East)



EXPLANATORY NOTE

Clause *k* of subsection 2 of section 22 of *The Schools Administration Act* which authorizes the Principal to suspend pupils from the school is re-enacted to strike out those parts of the clause which can be used to threaten pupils with the loss of their freedom of speech and freedom of association which other residents of Ontario have. The Bill adds other grounds for pupil suspension more suitable to a school in a democratic society and provides for written notification of the parents or guardians of a suspended pupil and for "due process" in the appeal procedures to the school board concerned.

BILL 28

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *k* of subsection 2 of section 22 of *The Schools Administration Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 22,
subs. 2,
cl. *k*,
re-enacted

- (*k*) to suspend any pupil guilty of persistent truancy, or habitual neglect of school work assigned by his teachers, or the use of profane language, or conduct injurious to the physical well-being of others in the school, and to notify in writing on the day the pupil is suspended the parent or guardian of the pupil and the board and the inspector of the suspension, but the parent or guardian of any pupil suspended may appeal against the action of the principal to the board which, after due process of appeal, has the power to remove, confirm or modify the suspension; and

suspend a
pupil

.

2. This Act comes into force on the 1st day of September, 1970.

Commence-
ment

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*.

Short title

An Act to amend
The Schools Administration Act

1st Reading

March 5th, 1970

2nd Reading

3rd Reading

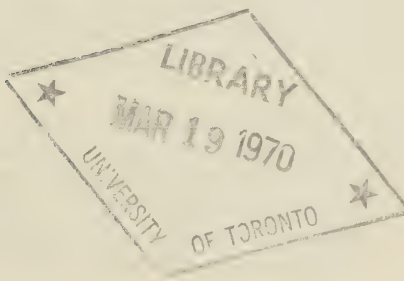
Mr. REID (Scarborough East)

BILL 29

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. PITMAN



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

The Bill provides for the establishment of a school council in every elementary and secondary school.

The composition and method of appointing or electing the members of the council is prescribed and its functions and powers specified.

BILL 29

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Schools Administration Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 361,
amended

54a.—(1) The principal of every elementary or secondary school shall, at the commencement of the school year, cause to be established a school council to function during that year, composed of eighteen members to be selected as follows: School
council
to be
established

1. Six members to be appointed from among themselves by the teachers engaged in the school.
2. Six members to be elected from among themselves by the students in attendance at the school.
3. Six members, each of whom shall be either a ratepayer in the area in which the school is located or the parent or guardian of a student attending the school, to be appointed by the Home and School Association functioning in the area in which the school is located.

(2) It is the function of the school council and it has power to study, investigate and consider matters relating to the academic program offered at the school and the administrative practices followed, and to make such recommendations to the principal respecting those matters as to the school council seem fit. Functions
of council

(3) The school council may determine its own rules of procedure and the manner of calling meetings and Procedure
and
meetings

shall hold at least one meeting in each month during the school year in which it functions.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*.

An Act to amend
The Schools Administration Act

1st Reading

March 5th, 1970

2nd Reading

3rd Reading

MR. PITMAN

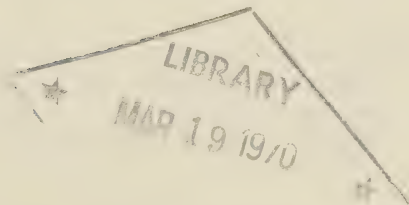
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BILL 30

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Employment Standards Act, 1968

MR. DAVISON



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill increases the basic rate for minimum wages from \$1.30 an hour to \$2.50 an hour.

BILL 30

1970

An Act to amend The Employment Standards Act, 1968

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *Part IV of The Employment Standards Act, 1968* is ^{1968, c. 35} amended by re-numbering section 15 as 15a and by adding ^{Part IV,} amended thereto the following section:

- 15.—(1) Subject to subsection 5, every employer shall ^{Minimum wage} pay to each of his employees wages at a rate of not less than \$2.50 an hour.
- (2) Where an employee receives meals or living accom- ^{Meals and living accommo-}modation, or both, as part of his wages, the amount of the wages referable to the meals or living accommodation shall not exceed,
- (a) in the case of living accommodation, \$5 a week;
 - (b) in the case of meals, 60 cents each but not more than a total of \$12 a week; and
 - (c) in the case of both living accommodation and meals, \$17 a week.
- (3) No amount shall be computed in respect of a meal or ^{Idem} living accommodation for the purpose of determining the wage paid unless the meal was actually received or the living accommodation was actually occupied by the employee.
- (4) In determining the wage paid, no amount shall be ^{Other services} computed in respect of the supplying, use or laundering by the employer of uniforms, aprons, caps or other apparel.

Application
of section

- (5) This section does not apply to any class or classes of employees designated for the purpose by the regulations.

1968,
c. 35, s. 29,
subs. 1, cl. a, *Standards Act, 1968*
re-enacted

2. Clause *a* of subsection 1 of section 29 of *The Employment Standards Act, 1968* is repealed and the following substituted therefor:

- (a) designating classes of employees to which section 15 does not apply and establishing minimum rates of wages of such classes.

Short title

3. This Act may be cited as *The Employment Standards Amendment Act, 1970*.

An Act to amend
The Employment Standards Act, 1968

1st Reading

March 5th, 1970

2nd Reading

3rd Reading

MR. DAVISON

BILL 31

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Judicature Act

MR. BREITHAUPT



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The amendment would permit undefended divorce actions to be dealt with by local judges and relieve the case-load of High Court Judges.

BILL 31

1970

An Act to amend The Judicature Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 115 of *The Judicature Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 197, s. 115, amended

(3) A local judge of the High Court possesses the like powers as a judge sitting in court or chambers in respect of uncontested divorce actions brought in his county. Uncontested divorce actions

2. This Act comes into force on the 1st day of September, 1970. Commencement

3. This Act may be cited as *The Judicature Amendment Act, 1970*. Short title

An Act to amend
The Judicature Act

1st Reading

March 5th, 1970

2nd Reading

3rd Reading

MR. BREITHAUPF

BILL 32

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend
The Municipal and School Tax Credit Assistance Act, 1967

MR. STOKES



EXPLANATORY NOTE

The Bill removes the obligation to repay tax credits allowed under the Act.

BILL 32

1970

**An Act to amend
The Municipal and School Tax Credit
Assistance Act, 1967**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsections 3, 4 and 5 of section 2 of *The Municipal and School Tax Credit Assistance Act, 1967* are repealed. 1967, c. 56, s. 2, subss. 3-5, repealed

(2) Subsection 7 of the said section 2 is amended by striking out “and the manner in which applications for reimbursement may be made” in the second and third lines, so that the subsection shall read as follows: 1967, c. 56, s. 2, subs. 7, amended

(7) The Lieutenant Governor in Council may make Regulations regulations prescribing forms for use under this Act and generally for the administration of this Act.

2. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commencement

3. This Act may be cited as *The Municipal and School Tax Credit Assistance Amendment Act, 1970*. Short title

An Act to amend The Municipal and School
Tax Credit Assistance Act, 1967

1st Reading

March 5th, 1970

2nd Reading

3rd Reading

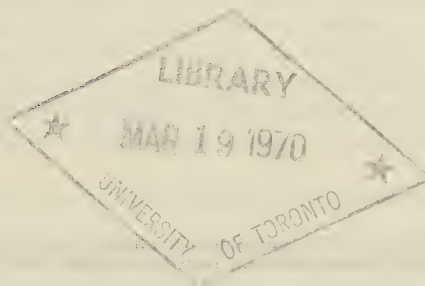
MR. STOKES

BILL 33

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Schools Administration Act

MR. PITMAN



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

SECTION 1. Subsection 1. The amendment allows boards to not only permit the use of school premises for educational and other lawful purposes but to encourage such use; the proviso that such use not interfere with the proper conduct of the school is removed.

SECTION 2. The amendment requires a pupil to be afforded a hearing with counsel present before a board may expel him on the report of the principal.

SECTION 3. The repealed paragraph permitted boards to establish and maintain cadet corps.

BILL 33

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 21 of section 35 of *The Schools Administration Act*, as amended by subsection 2 of section 9 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 35,
par. 21,
re-enacted

21. permit and encourage the use of school buildings and premises and school buses owned by the board for any educational or other lawful purposes that it deems proper.

permit and
encourage
use of school

(2) Paragraph 22 of the said section 35 is amended by inserting after "principal" in the first line "and after a hearing with proper counsel has been afforded to the offending pupil", so that the paragraph shall read as follows:

R.S.O. 1960,
c. 361, s. 35,
par. 22,
amended

22. expel, on the report of the principal and after a hearing with proper counsel has been afforded to the offending pupil, any pupil whose conduct is deemed to be so refractory that his presence in school is injurious to other pupils, and exclude any pupil by or on behalf of whom fees are legally required to be paid if such fees are not paid after reasonable notice.

expel pupils

- (3) Paragraph 23 of the said section 35 is repealed.

R.S.O. 1960,
c. 361, s. 35,
par. 23,
repealed

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*.

Short title

An Act to amend
The Schools Administration Act

1st Reading

March 9th, 1970

2nd Reading

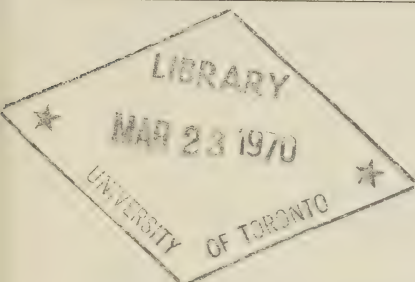
3rd Reading

MR. PITMAN

BILL 34

Government
Printer

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Schools Administration Act

MR. PITMAN

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The amendment requires the principal of a school, when performing the duties required of him under this subsection, to enlist the co-operation of the teachers on his staff.

BILL 34

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 22 of *The Schools Administration Act* is amended by inserting after "principal" in the first line "in co-operation with the teachers of his staff and", so that the subsection, exclusive of the clauses, shall read as follows:

R.S.O. 1960,
c. 361, s. 22,
subs. 2,
amended

- (2) It is the duty of a principal, in co-operation with the teachers of his staff and, in addition to his duties as a teacher,

Duties of
principal

.

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*.

Short title

An Act to amend
The Schools Administration Act

1st Reading

March 10th, 1970

2nd Reading

3rd Reading

MR. PITMAN

BILL 35

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Public Health Act

MR. DEANS

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill requires that drugs and medicines be sold only in child-proof containers.

An Act to amend The Public Health Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Public Health Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 321,
amended

CHILD-PROOF CONTAINERS

- 79.—(1) No person shall sell or offer for sale a drug to which *The Pharmacy Act* applies or a medicine registered under the *Proprietary or Patent Medicine Act* (Canada) that is not contained in a container that bears the mark of approval of a testing organization under subsection 2. Sale of
drugs and
medicines in
approved
containers
R.S.O. 1960,
c. 295
R.S.C. 1952,
c. 220

- (2) The Lieutenant Governor in Council may make regulations designating an organization to test and approve the types, designs and specifications of containers suitable to make the contents inaccessible to small children and providing for the affixing of a mark of approval on containers manufactured in accordance with the approved type, design and specifications. Regulations

2. This Act comes into force on the 1st day of July, 1970. Commence-
ment

3. This Act may be cited as *The Public Health Amendment Act, 1970*. Short title

An Act to amend The Public Health Act

1st Reading

March 10th, 1970

2nd Reading

3rd Reading

MR. DEANS

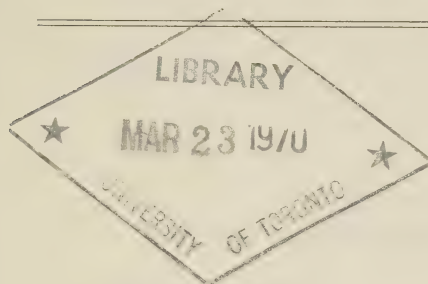
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BILL 36

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Ontario Human Rights Code, 1961-62

Mr. PILKEY

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill adds the sex of a person as one of the grounds on which no person may discriminate against another in the manner set forth in the Act.

BILL 36

1970

An Act to amend The Ontario Human Rights Code, 1961-62

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The preamble to *The Ontario Human Rights Code*, 1961-62, c. 93, 1961-62 is amended by inserting after "colour" in the eighth preamble, line "sex".
amended

2. Subsection 1 of section 1 of *The Ontario Human Rights Code*, 1961-62 is amended by inserting after "colour" in the subs. 1, sixth line "sex".
amended

3. Section 2 of *The Ontario Human Rights Code*, 1961-62, as amended by section 1 of *The Ontario Human Rights Code Amendment Act*, 1965, is further amended by inserting after "colour" in the tenth line "sex".
amended

4. Section 3 of *The Ontario Human Rights Code*, 1961-62, as amended by section 1 of *The Ontario Human Rights Code Amendment Act*, 1967, is further amended by inserting after "colour" in the tenth line "sex".
amended

5.—(1) Subsection 1 of section 4 of *The Ontario Human Rights Code*, 1961-62 is amended by inserting after "colour" in the fifth line "sex".
amended

(2) Subsection 2 of the said section 4 is amended by inserting after "colour" in the third line "sex".
amended

(3) Subsection 3 of the said section 4 is amended by inserting after "colour" in the sixth line and in the eighth line "sex".
amended

6.—(1) Clause *a* of section 8 of *The Ontario Human Rights Code*, 1961-62 is amended by inserting after "colour" in the third line "sex".
amended

1961-62,
c. 93, s. 8,
cl. c,
amended

(2) Clause *c* of the said section 8 is amended by inserting after "colour" in the third line "sex".

Commence-
ment

7. This Act comes into force on the day it receives Royal Assent.

Short title

8. This Act may be cited as *The Ontario Human Rights Code Amendment Act, 1970*.

An Act to amend
The Ontario Human Rights Code, 1961-62

1st Reading

March 11th, 1970

2nd Reading

3rd Reading

MR. PUKEY

A20N

B

B 56

BILL 37

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Labour Relations Act

MR. LEWIS



EXPLANATORY NOTE

The requirements that employees be members in a trade union for certification purposes is replaced by requirements that the employees have authorized the trade union to represent them. The amendment would modify the strict requirements for membership laid down by the court in the recent unreported case of *The Metropolitan Life Insurance Company vs. International Union of Operating Engineers, Local 796*.

An Act to amend The Labour Relations Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 7 of *The Labour Relations Act* is amended by striking out “were members of the trade union” in the fourth line and inserting in lieu thereof “authorized the trade union to represent them”, so that the subsection shall read as follows:

R.S.O. 1960,
c. 202, s. 7,
subs. 1,
amended

(1) Upon an application for certification, the Board shall ascertain the number of employees in the bargaining unit at the time the application was made and the number of employees in the unit who authorized the trade union to represent them at such time as is determined under clause *j* of subsection 2 of section 77.

Determin-
ation of
number of
members in
bargaining
unit

(2) Subsection 2 of the said section 7 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 202, s. 7,
subs. 2,
re-enacted

(2) If the Board is satisfied that not less than 45 per cent and not more than 55 per cent of the employees in the bargaining unit have authorized the trade union to represent them, the Board shall, and if the Board is satisfied that more than 55 per cent of such employees have authorized the trade union to represent them, the Board may direct that a representation vote be taken.

Representa-
tion vote

(3) Subsection 3 of the said section 7 is amended by striking out “are members of the trade union” in the fifth line and inserting in lieu thereof “have authorized the trade union to represent them”, so that the subsection shall read as follows:

R.S.O. 1960,
c. 202, s. 7,
subs. 3,
amended

(3) If on the taking of a representation vote more than 50 per cent of the ballots of all those eligible to vote are cast in favour of the trade union, and in other

Certification
after vote

cases, if the Board is satisfied that more than 55 per cent of the employees in the bargaining unit have authorized the trade union to represent them, the Board shall certify the trade union as the bargaining agent of the employees in the bargaining unit.

R.S.O. 1960,
c. 202, s. 7,
subs. 5,
amended

(4) Subsection 5 of the said section 7 is amended by striking out "are members of the trade union" in the second and third lines and inserting in lieu thereof "have authorized the trade union to represent them", so that the subsection shall read as follows:

Certification
without vote

(5) If the Board is satisfied that more than 50 per cent of the employees in the bargaining unit have authorized the trade union to represent them and that the true wishes of the employees are not likely to be disclosed by a representation vote, the Board may certify the trade union as bargaining agent without taking a representation vote.

R.S.O. 1960,
c. 202, s. 8,
subs. 2,
amended

2.—(1) Subsection 2 of section 8 of *The Labour Relations Act* is amended by striking out "were members of the trade union" in the fifth and sixth lines and inserting in lieu thereof "had authorized the trade union to represent them", so that the subsection shall read as follows:

Voting
constituency

(2) Upon such a request being made, the Board may determine a voting constituency and, if it appears to the Board on an examination of the records of the trade union and the records of the employer that not less than 45 per cent of the employees in the voting constituency had authorized the trade union to represent them at the time the application was made, the Board may direct that a representation vote be taken among the employees in the voting constituency.

R.S.O. 1960,
c. 202, s. 8,
subs. 4,
amended

(2) Subsection 4 of the said section 8 is amended by striking out "were members of the trade union" in the fifth line and inserting in lieu thereof "had authorized the trade union to represent them", so that the subsection shall read as follows:

Effect of
pre-hearing
vote

(4) After a representation vote has been taken under subsection 2, the Board shall determine the unit of employees that is appropriate for collective bargaining and, if it is satisfied that not less than 45 per cent of the employees in such bargaining unit had authorized the trade union to represent them at the time the application was made, the representation vote

taken under subsection 2 has the same effect as a representation vote taken under subsection 2 of section 7.

3. Subsection 3 of section 8a of *The Labour Relations Act*, R.S.O. 1960, c. 202, s. 8a as enacted by section 3 of *The Labour Relations Amendment Act, 1966*, (1966, c. 76, s. 3), subs. 3, is repealed and the following substituted therefor: re-enacted

- (3) For the purposes of sections 7 and 8, a person who Membership has authorized a constituent trade union to represent him shall be deemed by the Board to have authorized the council to represent him.

4. Clause *j* of subsection 2 of section 77 of *The Labour Relations Act* is amended by striking out “of membership in a trade union” in the second line and inserting in lieu thereof R.S.O. 1960, c. 202, s. 77, subs. 2, cl. j, amended “that a trade union is authorized to represent employees”, and by striking out “membership” in the ninth line and inserting in lieu thereof “authorization”, so that the clause shall read as follows:

- (j) to determine the form in which and the time as of which evidence that a trade union is authorized to represent employees or of objection by employees to certification of a trade union or of signification by employees that they no longer wish to be represented by a trade union shall be presented to the Board on an application for certification or for a declaration terminating bargaining rights, and to refuse to accept any evidence of authorization or objection or signification that is not presented in the form and as of the time so determined.

5. This Act comes into force on the day it receives Royal Commence- Assent. ment

6. This Act may be cited as *The Labour Relations Amend-* Short title *ment Act, 1970*.

An Act to amend
The Labour Relations Act

1st Reading

March 11th, 1970

2nd Reading

3rd Reading

MR. LEWIS

BILL 38

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to govern, license and
regulate the Operation of Rainmaking Equipment**

MR. FERRIER



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill provides for the licensing of rainmaking equipment and imposes penalties for owning, installing, operating or possessing such equipment without being the holder of the appropriate licence from the Minister of Energy and Resources Management.

BILL 38

1970

An Act to govern, license and regulate the Operation of Rainmaking Equipment

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Minister" means the Minister of Energy and Resources Management;
- (b) "rainmaking equipment" means any machine, device, installation or other apparatus designed or intended for, or represented as being capable of the artificial production of rainfall.

2. No person shall own, establish, install, operate or have in his possession any rainmaking equipment unless he is the holder of a licence therefor issued by the Minister.

Licence
required

3. Subject to the approval of the Lieutenant Governor in Council, the Minister may make regulations,

Regulations

- (a) prescribing the fees to be paid for licences;
- (b) prescribing the form and manner in which applications for licences are to be made;
- (c) classifying and prescribing the type of rainmaking equipment that may be licensed;
- (d) defining the different kinds of licences that may be issued, their respective forms and the several periods for which they shall continue in force;
- (e) prescribing conditions and restrictions to which the several licences shall respectively be subject;
- (f) providing for the inspection of rainmaking equipment;

(g) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

- Offence** **4.**—(1) Every person who contravenes any of the provisions of section 2 is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than one year, or to both.
- Idem** (2) Every person who contravenes any of the provisions of a regulation made under section 3 is guilty of an offence and on summary conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than six months, or to both.
- Evidence** (3) In prosecutions under this Act, where any person is proved to be the owner, tenant, or person in control of the premises, place, vehicle or aircraft where any rainmaking equipment is found, the onus is upon the person charged to prove that he did not establish, install, operate or have in his possession the rainmaking equipment.
- Forfeiture** (4) Where any person is convicted on a prosecution under this Act, the rainmaking equipment in respect of which the offence was committed and any movable property used in connection therewith becomes the property of the Crown in right of Ontario and may be disposed of by the Minister.
- Act binds the Crown** **5.** This Act binds the Crown.
- Commencement** **6.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.
- Short title** **7.** This Act may be cited as *The Rainmaking Equipment Act, 1970*.

An Act to govern, license and regulate
the Operation of Rainmaking Equipment

1st Reading

March 12th, 1970

2nd Reading

3rd Reading

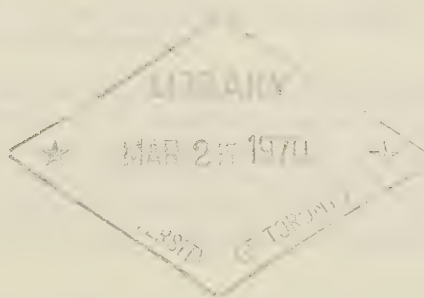
MR. FERRIER

BILL 39

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Labour Relations Act

MR. BALES



EXPLANATORY NOTE

The purpose of the Bill is to restore, as far as possible, the principles applied by the Ontario Labour Relations Board in determining membership in a trade union before the decision in Metropolitan Life Insurance Company vs. International Union of Operating Engineers, Local 796.

BILL 39

1970

An Act to amend The Labour Relations Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1 of *The Labour Relations Act* is amended by adding thereto the following clause:

R.S.O. 1960,
c. 202, s. 1,
subs. 1,
amended

(ga) "member", when used with reference to a trade union, includes a person who,

(i) has applied for membership in the trade union, and

(ii) has paid to the trade union on his own behalf an amount of at least \$1 in respect of initiation fees or monthly dues of the trade union,

and "membership" has a corresponding meaning.

2. Section 77 of *The Labour Relations Act* is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 202, s. 77,
amended

(4) Where the Board is satisfied that a trade union has an established practice of admitting persons to membership without regard to the eligibility requirements of its charter, constitution or by-laws, the Board, in determining whether a person is a member of a trade union, need not have regard for such eligibility requirements.

Determin-
ation of
union
membership

3. This Act applies in respect of proceedings under *The Labour Relations Act* commenced after this Act comes into force and to proceedings commenced before but not finally disposed of when this Act comes into force.

Application
R.S.O. 1960,
c. 202

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. This Act may be cited as *The Labour Relations Amendment Act, 1970*.

Short title

An Act to amend
The Labour Relations Act

1st Reading

March 16th, 1970

2nd Reading

3rd Reading

MR. BALES

BILL 39

1970

An Act to amend The Labour Relations Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1 of *The Labour Relations Act* is amended by adding thereto the following clause: R.S.O. 1960, c. 202, s. 1, subs. 1, amended

(ga) "member", when used with reference to a trade union, includes a person who,

(i) has applied for membership in the trade union, and

(ii) has paid to the trade union on his own behalf an amount of at least \$1 in respect of initiation fees or monthly dues of the trade union,

and "membership" has a corresponding meaning.

2. Section 77 of *The Labour Relations Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 202, s. 77, amended

(4) Where the Board is satisfied that a trade union has an established practice of admitting persons to membership without regard to the eligibility requirements of its charter, constitution or by-laws, the Board, in determining whether a person is a member of a trade union, need not have regard for such eligibility requirements. Determination of union membership

3. This Act applies in respect of proceedings under *The Labour Relations Act* commenced after this Act comes into force and to proceedings commenced before but not finally disposed of when this Act comes into force. Application R.S.O. 1960, c. 202

4. This Act comes into force on the day it receives Royal Assent. Commencement

5. This Act may be cited as *The Labour Relations Amendment Act, 1970*. Short title

An Act to amend
The Labour Relations Act

1st Reading

March 16th, 1970

2nd Reading

3rd Reading

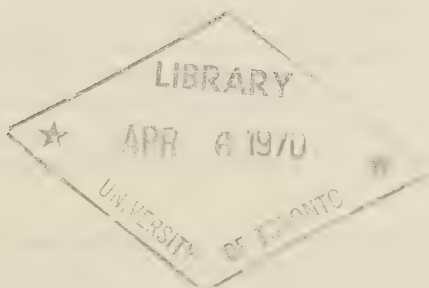
MR. BALES

BILL 39

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Labour Relations Act

MR. BALES



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 39

1970

An Act to amend The Labour Relations Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 1 of *The Labour Relations Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 202, s. 1,
subs. 1,
amended

(ga) "member", when used with reference to a trade union, includes a person who,

(i) has applied for membership in the trade union, and

(ii) has paid to the trade union on his own behalf an amount of at least \$1 in respect of initiation fees or monthly dues of the trade union,

and "membership" has a corresponding meaning.

2. Section 77 of *The Labour Relations Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 202, s. 77,
amended

(4) Where the Board is satisfied that a trade union has an established practice of admitting persons to membership without regard to the eligibility requirements of its charter, constitution or by-laws, the Board, in determining whether a person is a member of a trade union, need not have regard for such eligibility requirements. Determin-
ation of
union
membership

3. This Act applies in respect of proceedings under *The Labour Relations Act* commenced after this Act comes into force and to proceedings commenced before but not finally disposed of when this Act comes into force. Application
R.S.O. 1960,
c. 202

4. This Act comes into force on the day it receives Royal Assent. Commence-
ment

5. This Act may be cited as *The Labour Relations Amendment Act, 1970*. Short title

An Act to amend
The Labour Relations Act

1st Reading

March 16th, 1970

2nd Reading

March 18th, 1970

3rd Reading

March 18th, 1970

MR. BATES

BILL 40

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Municipal Act

MR. GISBORN



EXPLANATORY NOTE

The amendment extends the persons entitled to vote on money by-laws to all electors except those on a resident voters' list.

BILL 40

1970

An Act to amend The Municipal Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 260 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249, s. 260,
re-enacted

260. The persons qualified to vote on a money by-law are those entitled to vote at an election, except persons on a resident voters' list under *The Municipal Franchise Extension Act*. Persons
qualified
to vote on
money
by-laws
R.S.O. 1960,
c. 254

2. This Act may be cited as *The Municipal Amendment Act, 1970*. Short title

An Act to amend The Municipal Act

1st Reading

March 16th, 1970

2nd Reading

3rd Reading

Mr. GISBORN

BILL 41

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to control the Administering of Lie-Detector Tests

MR. TROTTER



EXPLANATORY NOTE

The purpose of the Bill is to eliminate the use of lie-detector tests except with the written consent of the person to be tested and the approval of the Minister of Justice and Attorney General.

BILL 41

1970

An Act to control the Administering of Lie-Detector Tests

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, "lie-detector" means a device or means ^{Lie-detector defined} of recording, by polygraph or otherwise, the chemical or biological reaction of a person uttering an intentional falsehood.

2.—(1) No person shall administer a lie-detector test to ^{Administering of tests} another except,

- (a) with the consent in Form 1 of the person to be examined; and
- (b) with the consent of the Minister of Justice and Attorney General.

(2) Clause *b* of subsection 1 does not apply to members ^{Exception} of police forces.

3. No person, directly or indirectly, alone or with another, ^{Consequence of giving or refusal of consent} by himself or by the interposition of another, shall,

- (a) coerce another person to consent to take a lie-detector test or hold out a consequence in the event of refusal;
- (b) draw any inference from a refusal to consent to take a lie-detector test; or
- (c) discriminate against a person who refuses to consent to take a lie-detector test or base any decision or course of action on the giving or refusing of consent.

4. Any person who contravenes this Act is guilty of an ^{Penalty} offence and on summary conviction is liable to a fine of not more than \$2,000.

Short title **5.** This Act may be cited as *The Lie-Detector Test Act, 1970.*

FORM 1

(Section 2 (1) (a))

CONSENT TO SUBMIT TO A LIE-DETECTOR TEST

I.....hereby consent to take
(name)

a lie-detector test administered by.....
(name)

on.....the.....day of....., 19.....

I understand that under *The Lie-Detector Test Act, 1970*, it is my right to refuse without incurring any consequence.

Signed at.....this.....day of....., 19.....

.....
(Witness)

.....
(Signature)



An Act to control
the Administering of Lie-Detector Tests

1st Reading

March 17th, 1970

2nd Reading

3rd Reading

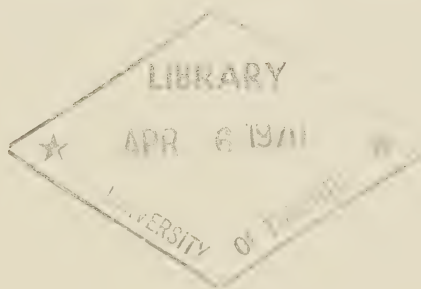
MR. TROTTER

BILL 42

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Public Schools Act

MR. PITMAN



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The section repealed provided that judges, members of the Assembly, members of municipal councils and clergymen were school visitors and specified their powers.

BILL 42

1970

An Act to amend The Public Schools Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 8 of *The Public Schools Act* is repealed. R.S.O. 1960,
c. 330, s. 8,
repealed
2. This Act comes into force on the day it receives Royal Assent. Commence-
ment
3. This Act may be cited as *The Public Schools Amendment Act, 1970*. Short title

An Act to amend The Public Schools Act

1st Reading

March 17th, 1970

2nd Reading

3rd Reading

MR. PITMAN

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B

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BILL 43

12-11-1970
F. L. L. C.

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



**An Act to establish
The Ontario Educational Communications Authority**

MR. DAVIS

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill establishes The Ontario Educational Communications Authority for the purposes set out in section 3 of the Bill.

BILL 43

1970

**An Act to establish
The Ontario Educational Communications
Authority**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Authority" means The Ontario Educational Communications Authority;
- (b) "Board" means the board of directors of the Authority;
- (c) "Minister" means the Minister of Education.

2.—(1) There is hereby established a corporation without share capital under the name "The Ontario Educational Communications Authority", consisting of thirteen members, one of whom shall be the Chairman, and of the remaining twelve members, not fewer than three and not more than four shall be members of the public service of Ontario.

Authority
established

(2) The members of the Authority, including the Chairman, shall be appointed by the Lieutenant Governor in Council to hold office for not more than three years but may be reappointed by the Lieutenant Governor in Council, and at least three members shall retire each year.

Appointment
of members

(3) The members for the time being of the Authority form and are its board of directors.

Board of
directors

(4) The Chairman of the Authority shall be the Chairman of the Board, and the Lieutenant Governor in Council may from time to time designate one of the other members as Vice-Chairman of the Board and prescribe his duties.

Chairman
and Vice-
Chairman of
the Board

Fees and
expenses

(5) A director, other than the Chairman, may be paid such fees for attendance at meetings of the Authority as may be fixed by the Lieutenant Governor in Council, and all directors are entitled to be paid their actual travelling and living expenses necessarily incurred on the business of the Authority.

Quorum

(6) Six directors constitute a quorum for meetings of the Board.

Meetings

(7) Meetings of the Board or of the members of the Authority shall be held at the call of the Chairman, or in the absence or incapacity of the Chairman or if the office of Chairman is vacant, in such other manner as may be prescribed by the by-laws of the Authority, but in no case shall more than six months elapse between meetings of the Board.

Head Office

(8) The head office of the Authority shall be at The Municipality of Metropolitan Toronto, or such other place in Ontario as the Lieutenant Governor in Council designates.

Fiscal year

(9) The fiscal year of the Authority begins on the 1st day of April and ends on the 31st day of March in the following year.

Objects of
Authority

3. The objects of the Authority are,

- (a) to initiate, acquire, produce, distribute, exhibit or otherwise deal in programs and materials in the educational broadcasting and communications fields;
- (b) to engage in research in those fields of activity consistent with the objects of the Authority under clause *a*; and
- (c) to discharge such other duties relating to educational broadcasting and communications as the Minister may direct, with the approval of the Lieutenant Governor in Council.

Acquisition
of land

4. Subject to the approval of the Lieutenant Governor in Council, the Authority may,

- (a) acquire by purchase, lease or otherwise; and
- (b) sell or otherwise dispose of,

any land or any interest in land.

By-laws,
making

5.—(1) Subject to subsections 2 and 3, the Board may make by-laws regulating its proceedings and generally for the conduct and management of the affairs of the Authority.

(2) All by-laws of the Authority shall be filed with the Minister provided, however, that no by-law shall take effect until the expiration of two weeks from the date of filing.

(3) The Lieutenant Governor in Council may amend or revoke any by-law provided that any such amendment or revocation shall not prejudice the rights of any person dealing with the Authority.

6.—(1) The Chairman is the chief executive officer of the Authority and shall be paid such salary as the Lieutenant Governor in Council determines.

(2) The Board may employ such persons and retain such technical and professional consultants as it considers necessary for the conduct of the affairs of the Authority at such remuneration and upon such terms as the Board approves.

(3) The officers and employees of the Authority are not Crown employees, and the provisions of *The Labour Relations Act* apply to them and to the Authority.

7.—(1) The Authority has the following powers incidental and ancillary to its objects,

- (a) to enter into operating agreements with the appropriate agency or agencies of the Government of Canada and with broadcasting stations or networks for the broadcasting of educational programs;
- (b) to enter into contracts with any person in connection with the production, presentation or distribution of the programs and materials of the Authority;
- (c) to acquire, publish, distribute and preserve, whether for a consideration or otherwise, such audio-visual materials, papers, periodicals and other literary matter as relate to any of the objects of the Authority;
- (d) to make arrangements or enter into agreements with any person for the use of any rights, privileges or concessions that the Authority may consider necessary for the purposes of carrying out its objects.

(2) Except as provided in subsection 3, subsection 1 of section 22 of *The Corporations Act* applies to the Authority.

(3) Clauses *a, b, d, e, g, h, j, k, m, p, q, r, t, u* and *v* of subsection 1 of section 22, and sections 287 and 288 of *The Corporations Act* do not apply without the approval of the Lieutenant Governor in Council.

Employee
benefits

8. The Authority may provide compensation for services performed by way of remuneration and employee benefits which the Authority may from time to time consider appropriate, to or for the benefit of any of the persons mentioned in section 6, or any class or classes of them, as well as any other persons who may be entitled thereunder, out of a fund or funds comprising contributions made by such persons, or any class or classes thereof, or by the Authority, or both or otherwise.

Advisory
committees

9. The Authority may appoint such advisory committees as it considers necessary to advise it in developing the policy and operations of the Authority, and may pay the members thereof such fees for attending meetings as may be fixed by the Treasury Board of Ontario and such members are entitled to be paid their actual travelling and living expenses necessarily incurred on the business of a committee.

Bank
accounts

10.—(1) The Authority shall maintain in its own name one or more accounts in The Province of Ontario Savings Office or in one or more chartered banks or in one or more trust companies registered under *The Loan and Trust Corporations Act*.

R.S.O. 1960,
c. 222

Deposits in
trust
company

(2) The total deposits of the Authority in any trust company shall not exceed at any one time 3 per cent of the paid-in capital plus surplus and reserves of the trust company.

Moneys of
Authority
to be de-
posited in
bank
accounts

(3) Subject to subsection 3 of section 15, all moneys received by the Authority through the conduct of its operations or otherwise shall be deposited to the credit of accounts established under subsection 1, and shall be administered by the Authority exclusively in carrying out its objects.

Audit

11. The accounts and financial transactions of the Authority shall be audited annually by the Provincial Auditor or such other auditor or auditors as the Lieutenant Governor in Council may appoint, and a report of the audit shall be made to the Authority and to the Minister.

Annual
report

12.—(1) The Board shall make an annual report to the Minister upon the affairs of the Authority, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Further
reports

(2) The Authority shall make such further reports to the Minister as the Minister may from time to time require.

Issue of
securities

13.—(1) With the approval of the Lieutenant Governor in Council, the Authority may borrow money for purchasing or otherwise acquiring real or personal property, for making

improvements, or for any of the objects of the Authority, and may issue bonds, debentures, notes or other securities to provide for the repayment of any moneys so borrowed, and such securities may be payable at such times and in such manner and at such place or places in Canada or elsewhere, and may bear such interest, as the Authority may consider proper.

(2) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics for and on behalf of Ontario to guarantee the payment of any securities issued by the Authority for any of the purposes mentioned in subsection 1. ^{Guaranteeing securities}

(3) The form of guaranty and the manner of its execution shall be determined by the Lieutenant Governor in Council. ^{Form of guaranty}

14.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics, ^{Purchase of securities by Province}

(a) to purchase any securities of the Authority; and

(b) to make advances to the Authority in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may consider expedient.

(2) The moneys required for the purposes of this section shall be paid out of the Consolidated Revenue Fund. ^{Idem}

15.—(1) The cost of the establishment, maintenance and conduct of the Authority shall be payable until the 31st day of March, 1971, out of the Consolidated Revenue Fund and thereafter out of moneys appropriated therefor by the Legislature. ^{Cost}

(2) All moneys received by the Authority shall be applied in the discharge of its duties and obligations. ^{Application of revenue}

(3) Any surplus moneys shall, on the order of the Lieutenant Governor in Council, be paid into and form part of the Consolidated Revenue Fund. ^{Surplus money}

16. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. ^{Commencement}

17. This Act may be cited as *The Ontario Educational Communications Authority Act, 1970*. ^{Short title}

An Act to establish The Ontario
Educational Communications Authority

1st Reading

March 19th, 1970

2nd Reading

3rd Reading

MR. DAVIS

BILL 43

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to establish
The Ontario Educational Communications Authority**

MR. DAVIS

(Reprinted as amended by the Education and University Affairs Committee)

EXPLANATORY NOTE

The Bill establishes The Ontario Educational Communications Authority for the purposes set out in section 3 of the Bill.

An Act to establish The Ontario Educational Communications Authority

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpretation

- (a) "Authority" means The Ontario Educational Communications Authority;
- (b) "Board" means the board of directors of the Authority;
- (c) "Minister" means the Minister of Education.

2.—(1) There is hereby established a corporation without share capital under the name "The Ontario Educational Communications Authority", consisting of thirteen members, one of whom shall be the Chairman, and of the remaining twelve members, not fewer than three and not more than four shall be members of the public service of Ontario.

Authority established

(2) The members of the Authority, including the Chairman, shall be appointed by the Lieutenant Governor in Council to hold office for not more than three years but may be reappointed by the Lieutenant Governor in Council, and at least three members shall retire each year.

Appointment of members

(3) The members for the time being of the Authority form and are its board of directors.

Board of directors

(4) The Chairman of the Authority shall be the Chairman of the Board, and the Lieutenant Governor in Council may from time to time designate one of the other members as Vice-Chairman of the Board and prescribe his duties.

Chairman and Vice-Chairman of the Board

Fees and expenses	(5) A director, other than the Chairman, may be paid such fees for attendance at meetings of the Authority as may be fixed by the Lieutenant Governor in Council, and all directors are entitled to be paid their actual travelling and living expenses necessarily incurred on the business of the Authority.
Quorum	(6) <u>Seven</u> directors constitute a quorum for meetings of the Board.
Meetings	(7) Meetings of the Board or of the members of the Authority shall be held at the call of the Chairman, or in the absence or incapacity of the Chairman or if the office of Chairman is vacant, in such other manner as may be prescribed by the by-laws of the Authority, but in no case shall more than <u>four</u> months elapse between meetings of the Board.
Head Office	(8) The head office of the Authority shall be at The Municipality of Metropolitan Toronto, or such other place in Ontario as the Lieutenant Governor in Council designates.
Fiscal year	(9) The fiscal year of the Authority begins on the 1st day of April and ends on the 31st day of March in the following year.
Objects of Authority	<p>3. The objects of the Authority are,</p> <ul style="list-style-type: none"> (a) to initiate, acquire, produce, distribute, exhibit or otherwise deal in programs and materials in the educational broadcasting and communications fields; (b) to engage in research in those fields of activity consistent with the objects of the Authority under clause <i>a</i>; and (c) to discharge such other duties relating to educational broadcasting and communications as the <u>Board considers to be incidental or conducive to the attainment of the objects mentioned in clauses <i>a</i> and <i>b</i>.</u>
Acquisition of land	<p>4. Subject to the approval of the Lieutenant Governor in Council, the Authority may,</p> <ul style="list-style-type: none"> (a) acquire by purchase, lease or otherwise; and (b) sell or otherwise dispose of, <p>any land or any interest in land.</p>
By-laws, making	5.— (1) Subject to subsections 2 and 3, the Board may make by-laws regulating its proceedings and generally for the conduct and management of the affairs of the Authority.

(2) All by-laws of the Authority shall be filed with the Minister provided, however, that no by-law shall take effect until the expiration of two weeks from the date of filing. ^{Filing}

(3) The Lieutenant Governor in Council may amend or revoke any by-law provided that any such amendment or revocation shall not prejudice the rights of any person dealing with the Authority. ^{Amendment}

6.—(1) The Chairman is the chief executive officer of the Authority and shall be paid such salary as the Lieutenant Governor in Council determines. ^{Chief executive officer}

(2) The Board may employ such persons and retain such technical and professional consultants as it considers necessary for the conduct of the affairs of the Authority at such remuneration and upon such terms as the Board approves. ^{Staff}

(3) The officers and employees of the Authority are not Crown employees, and the provisions of *The Labour Relations Act* apply to them and to the Authority. ^{Application of R.S.O. 1960, c. 202}

7.—(1) The Authority has the following powers incidental and ancillary to its objects, ^{Powers of Authority}

- (a) to enter into operating agreements with the appropriate agency or agencies of the Government of Canada and with broadcasting stations or networks for the broadcasting of educational programs;
- (b) to enter into contracts with any person in connection with the production, presentation or distribution of the programs and materials of the Authority;
- (c) to acquire, publish, distribute and preserve, whether for a consideration or otherwise, such audio-visual materials, papers, periodicals and other literary matter as relate to any of the objects of the Authority;
- (d) to make arrangements or enter into agreements with any person for the use of any rights, privileges or concessions that the Authority may consider necessary for the purposes of carrying out its objects.

(2) Except as provided in subsection 3, subsection 1 of section 22 of *The Corporations Act* applies to the Authority. ^{Application of R.S.O. 1960, c. 71}

(3) Clauses *a, b, d, e, g, h, j, k, m, p, q, r, t, u* and *v* of subsection 1 of section 22, and sections 287 and 288 of *The Corporations Act* do not apply without the approval of the Lieutenant Governor in Council. ^{Idem}

Employee
benefits

8. The Authority may provide compensation for services performed by way of remuneration and employee benefits which the Authority may from time to time consider appropriate, to or for the benefit of any of the persons mentioned in section 6, or any class or classes of them, as well as any other persons who may be entitled thereunder, out of a fund or funds comprising contributions made by such persons, or any class or classes thereof, or by the Authority, or both or otherwise.

Advisory
committees

9. The Authority shall appoint such regional councils and such advisory committees as it considers necessary to advise it in developing the policy and operations of the Authority, and may pay the members thereof such fees for attending meetings as may be fixed by the Treasury Board of Ontario and such members are entitled to be paid their reasonable travelling and living expenses necessarily incurred on the business of a committee.

Bank
accounts

10.—(1) The Authority shall maintain in its own name one or more accounts in The Province of Ontario Savings Office or in one or more chartered banks or in one or more trust companies registered under *The Loan and Trust Corporations Act*.

R.S.O. 1960,
c. 222

Deposits in
trust
company

(2) The total deposits of the Authority in any trust company shall not exceed at any one time 3 per cent of the paid-in capital plus surplus and reserves of the trust company.

Moneys of
Authority
to be de-
posited in
bank
accounts

(3) Subject to subsection 3 of section 15, all moneys received by the Authority through the conduct of its operations or otherwise shall be deposited to the credit of accounts established under subsection 1, and shall be administered by the Authority exclusively in carrying out its objects.

Audit

11. The accounts and financial transactions of the Authority shall be audited annually by the Provincial Auditor or such other auditor or auditors as the Lieutenant Governor in Council may appoint, and a report of the audit shall be made to the Authority and to the Minister.

Annual
report

12.—(1) The Board shall make an annual report to the Minister upon the affairs of the Authority, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Further
reports

(2) The Authority shall make such further reports to the Minister as the Minister may from time to time require.

Issue of
securities

13.—(1) With the approval of the Lieutenant Governor in Council, the Authority may borrow money for purchasing or otherwise acquiring real or personal property, for making

improvements, or for any of the objects of the Authority, and may issue bonds, debentures, notes or other securities to provide for the repayment of any moneys so borrowed, and such securities may be payable at such times and in such manner and at such place or places in Canada or elsewhere, and may bear such interest, as the Authority may consider proper.

(2) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics for and on behalf of Ontario to guarantee the payment of any securities issued by the Authority for any of the purposes mentioned in subsection 1. Guaranteeing securities

(3) The form of guaranty and the manner of its execution shall be determined by the Lieutenant Governor in Council. Form of guaranty

14.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics, Purchase of securities by Province

(a) to purchase any securities of the Authority; and

(b) to make advances to the Authority in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may consider expedient.

(2) The moneys required for the purposes of this section shall be paid out of the Consolidated Revenue Fund. Idem

15.—(1) The cost of the establishment, maintenance and conduct of the Authority shall be payable until the 31st day of March, 1971, out of the Consolidated Revenue Fund and thereafter out of moneys appropriated therefor by the Legislature. Cost

(2) All moneys received by the Authority shall be applied in the discharge of its duties and obligations. Application of revenue

(3) Any surplus moneys shall, on the order of the Lieutenant Governor in Council, be paid into and form part of the Consolidated Revenue Fund. Surplus money

16. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

17. This Act may be cited as *The Ontario Educational Communications Authority Act, 1970*. Short title

An Act to establish The Ontario
Educational Communications Authority

1st Reading

March 19th, 1970

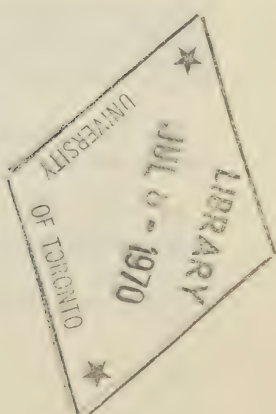
2nd Reading

April 8th, 1970

3rd Reading

MR. DAVIS

(Reprinted as amended by the Education and
University Affairs Committee)



BILL 43

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to establish
The Ontario Educational Communications Authority**

MR. DAVIS



BILL 43

1970

An Act to establish The Ontario Educational Communications Authority

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Authority" means The Ontario Educational Communications Authority;
- (b) "Board" means the board of directors of the Authority;
- (c) "Minister" means the Minister of Education.

2.—(1) There is hereby established a corporation without ^{Authority established} share capital under the name "The Ontario Educational Communications Authority", consisting of thirteen members, one of whom shall be the Chairman, and of the remaining twelve members, not fewer than three and not more than four shall be members of the public service of Ontario.

(2) The members of the Authority, including the Chair- ^{Appointment of members} man, shall be appointed by the Lieutenant Governor in Council to hold office for not more than three years but may be reappointed by the Lieutenant Governor in Council, and at least three members shall retire each year.

(3) The members for the time being of the Authority form ^{Board of directors} and are its board of directors.

(4) The Chairman of the Authority shall be the Chairman ^{Chairman and Vice-Chairman of the Board} of the Board, and the Lieutenant Governor in Council may from time to time designate one of the other members as Vice-Chairman of the Board and prescribe his duties.

Fees and
expenses

(5) A director, other than the Chairman, may be paid such fees for attendance at meetings of the Authority as may be fixed by the Lieutenant Governor in Council, and all directors are entitled to be paid their actual travelling and living expenses necessarily incurred on the business of the Authority.

Quorum

(6) Seven directors constitute a quorum for meetings of the Board.

Meetings

(7) Meetings of the Board or of the members of the Authority shall be held at the call of the Chairman, or in the absence or incapacity of the Chairman or if the office of Chairman is vacant, in such other manner as may be prescribed by the by-laws of the Authority, but in no case shall more than four months elapse between meetings of the Board.

Head Office

(8) The head office of the Authority shall be at The Municipality of Metropolitan Toronto, or such other place in Ontario as the Lieutenant Governor in Council designates.

Fiscal year

(9) The fiscal year of the Authority begins on the 1st day of April and ends on the 31st day of March in the following year.

Objects of
Authority

3. The objects of the Authority are,

- (a) to initiate, acquire, produce, distribute, exhibit or otherwise deal in programs and materials in the educational broadcasting and communications fields;
- (b) to engage in research in those fields of activity consistent with the objects of the Authority under clause *a*; and
- (c) to discharge such other duties relating to educational broadcasting and communications as the Board considers to be incidental or conducive to the attainment of the objects mentioned in clauses *a* and *b*.

Acquisition
of land

4. Subject to the approval of the Lieutenant Governor in Council, the Authority may,

- (a) acquire by purchase, lease or otherwise; and
- (b) sell or otherwise dispose of,

any land or any interest in land.

By-laws,
making

5.—(1) Subject to subsections 2 and 3, the Board may make by-laws regulating its proceedings and generally for the conduct and management of the affairs of the Authority.

(2) All by-laws of the Authority shall be filed with the Minister provided, however, that no by-law shall take effect until the expiration of two weeks from the date of filing ^{Filing}.

(3) The Lieutenant Governor in Council may amend or revoke any by-law provided that any such amendment or revocation shall not prejudice the rights of any person dealing with the Authority. ^{Amendment}

6.—(1) The Chairman is the chief executive officer of the Authority and shall be paid such salary as the Lieutenant Governor in Council determines. ^{Chief executive officer}

(2) The Board may employ such persons and retain such technical and professional consultants as it considers necessary for the conduct of the affairs of the Authority at such remuneration and upon such terms as the Board approves. ^{Staff}

(3) The officers and employees of the Authority are not Crown employees, and the provisions of *The Labour Relations Act* apply to them and to the Authority. ^{Application of R.S.O. 1960, c. 202}

7.—(1) The Authority has the following powers incidental and ancillary to its objects, ^{Powers of Authority}

- (a) to enter into operating agreements with the appropriate agency or agencies of the Government of Canada and with broadcasting stations or networks for the broadcasting of educational programs;
- (b) to enter into contracts with any person in connection with the production, presentation or distribution of the programs and materials of the Authority;
- (c) to acquire, publish, distribute and preserve, whether for a consideration or otherwise, such audio-visual materials, papers, periodicals and other literary matter as relate to any of the objects of the Authority;
- (d) to make arrangements or enter into agreements with any person for the use of any rights, privileges or concessions that the Authority may consider necessary for the purposes of carrying out its objects.

(2) Except as provided in subsection 3, subsection 1 of section 22 of *The Corporations Act* applies to the Authority. ^{Application of R.S.O. 1960, c. 71}

(3) Clauses *a, b, d, e, g, h, j, k, m, p, q, r, t, u* and *v* of subsection 1 of section 22, and sections 287 and 288 of *The Corporations Act* do not apply without the approval of the Lieutenant Governor in Council. ^{Idem}

Employee
benefits

8. The Authority may provide compensation for services performed by way of remuneration and employee benefits which the Authority may from time to time consider appropriate, to or for the benefit of any of the persons mentioned in section 6, or any class or classes of them, as well as any other persons who may be entitled thereunder, out of a fund or funds comprising contributions made by such persons, or any class or classes thereof, or by the Authority, or both or otherwise.

Advisory
committees

9. The Authority shall appoint such regional councils and such advisory committees as it considers necessary to advise it in developing the policy and operations of the Authority, and may pay the members thereof such fees for attending meetings as may be fixed by the Treasury Board of Ontario and such members are entitled to be paid their reasonable travelling and living expenses necessarily incurred on the business of a committee.

Bank
accountsR.S.O. 1960,
c. 222

10.—(1) The Authority shall maintain in its own name one or more accounts in The Province of Ontario Savings Office or in one or more chartered banks or in one or more trust companies registered under *The Loan and Trust Corporations Act*.

Deposits in
trust
company

(2) The total deposits of the Authority in any trust company shall not exceed at any one time 3 per cent of the paid-in capital plus surplus and reserves of the trust company.

Moneys of
Authority
to be de-
posited in
bank
accounts

(3) Subject to subsection 3 of section 15, all moneys received by the Authority through the conduct of its operations or otherwise shall be deposited to the credit of accounts established under subsection 1, and shall be administered by the Authority exclusively in carrying out its objects.

Audit

11. The accounts and financial transactions of the Authority shall be audited annually by the Provincial Auditor or such other auditor or auditors as the Lieutenant Governor in Council may appoint, and a report of the audit shall be made to the Authority and to the Minister.

Annual
report

12.—(1) The Board shall make an annual report to the Minister upon the affairs of the Authority, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Further
reports

(2) The Authority shall make such further reports to the Minister as the Minister may from time to time require.

Issue of
securities

13.—(1) With the approval of the Lieutenant Governor in Council, the Authority may borrow money for purchasing or otherwise acquiring real or personal property, for making

improvements, or for any of the objects of the Authority, and may issue bonds, debentures, notes or other securities to provide for the repayment of any moneys so borrowed, and such securities may be payable at such times and in such manner and at such place or places in Canada or elsewhere, and may bear such interest, as the Authority may consider proper.

(2) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics for and on behalf of Ontario to guarantee the payment of any securities issued by the Authority for any of the purposes mentioned in subsection 1. ^{Guaranteeing securities}

(3) The form of guaranty and the manner of its execution shall be determined by the Lieutenant Governor in Council. ^{Form of guaranty}

14.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario and Minister of Economics, ^{Purchase of securities by Province}

(a) to purchase any securities of the Authority; and

(b) to make advances to the Authority in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may consider expedient.

(2) The moneys required for the purposes of this section shall be paid out of the Consolidated Revenue Fund. ^{Idem}

15.—(1) The cost of the establishment, maintenance and conduct of the Authority shall be payable until the 31st day of March, 1971, out of the Consolidated Revenue Fund and thereafter out of moneys appropriated therefor by the Legislature. ^{Cost}

(2) All moneys received by the Authority shall be applied in the discharge of its duties and obligations. ^{Application of revenue}

(3) Any surplus moneys shall, on the order of the Lieutenant Governor in Council, be paid into and form part of the Consolidated Revenue Fund. ^{Surplus money}

16. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. ^{Commencement}

17. This Act may be cited as *The Ontario Educational Communications Authority Act, 1970.* ^{Short title}

An Act to establish The Ontario
Educational Communications Authority

1st Reading

March 19th, 1970

2nd Reading

April 8th, 1970

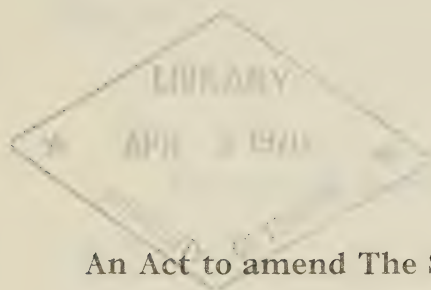
3rd Reading

June 25th, 1970

MR. DAVIS

BILL 44

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Schools Administration Act

MR. REID (Scarborough East)

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The amendment provides for Indian representation on those school boards which have entered into an agreement with the Crown in right of Canada to provide accommodation and tuition for Indian pupils in return for fees, such appointment being required if the council(s) of the Indian band(s) recommends a representative. The amendment transfers the power of discretion of such representation away from the school board to the Indian band council(s).

BILL 44

1970

An Act to amend The Schools Administration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 3 of section 35*c* of *The Schools Administration Act*, as enacted by section 11 of *The Schools Administration Amendment Act, 1967*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 361, s. 35*c*.
(1967, c. 90,
s. 11)
subs. 3,
re-enacted

(3) Where a board has entered into an agreement under this section, the board, on the recommendation of the council (or councils) of the Indian band (or bands) concerned, shall appoint the person so recommended, and the person so appointed has all the powers and duties of a member of the board as though he were eligible and duly elected as a member of the board. Appointed
representa-
tion of
Indian
pupils

(4) If no recommendation is made by the council (or councils) of the Indian band (or bands) concerned, no appointment shall be made. Where no
recommen-
dation

2. This Act shall be deemed to have come into force on the 1st day of September, 1969. Commence-
ment

3. This Act may be cited as *The Schools Administration Amendment Act, 1970*. Short title

An Act to amend
The Schools Administration Act

1st Reading

March 19th, 1970

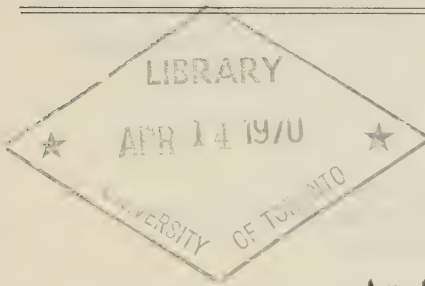
2nd Reading

3rd Reading

MR. REID (Scarborough East)

BILL 45

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



**An Act to amend
The Archaeological and Historic Sites Protection Act**

MR. PITMAN

EXPLANATORY NOTE

The effect of this Bill is to declare all buildings 100 years or more old to be historic buildings, and to prohibit their demolition or structural alteration without a permit issued by the Minister of Tourism and Information.

BILL 45

1970

An Act to amend The Archaeological and Historic Sites Protection Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Archaeological and Historic Sites Protection Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 19, s. 1,
amended

(ca) "historic building" means a building that has been in existence either in whole or in substantial part for more than 100 years.

2. *The Archaeological and Historic Sites Protection Act* is amended by adding thereto the following sections: R.S.O. 1960,
c. 19,
amended

7a. No person shall demolish or structurally alter an historic building unless he is the holder of a permit to do so from the Minister. Permit
holder
only may
demolish,
etc.,
historic
building

7b.—(1) Upon application made to him in writing, the Minister may issue a permit to the owner of an historic building to demolish or structurally alter the building. Minister
may issue
permit

(2) An application under subsection 1 for a permit to structurally alter an historic building shall be accompanied by plans and specifications in duplicate clearly displaying the nature and extent of the proposed alteration. Plans and
specifica-
tions

(3) Before issuing a permit under subsection 1, the Minister shall obtain the views of the local historical society in the area regarding the application, or if no such society exists, he shall obtain the views of the municipal council having jurisdiction in the area in which the historic building is situate. Minister
to obtain
views of
local
historical
society or
municipal
council

Terms and
conditions

7c. The Minister may impose such terms and conditions on a permit as he considers proper, and may cancel a permit for a breach of any term or condition to which it is subject.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Archaeological and Historic Sites Protection Amendment Act, 1970*.

An Act to amend
The Archaeological and Historic Sites
Protection Act

1st Reading

March 31st, 1970

2nd Reading

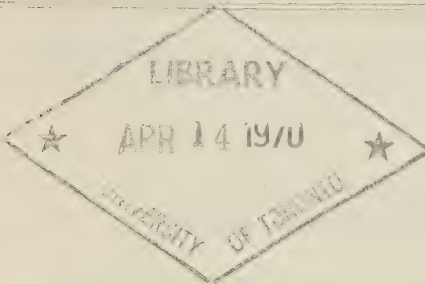
3rd Reading

MR. PITMAN

BILL 46

Publication

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to provide for Data Surveillance and Privacy

MR. REID (Scarborough East)

EXPLANATORY NOTE

The Bill regulates and controls the dissemination of data from systematically stored files including computers that record and store personal information relating to identifiable individuals. It is designed to safeguard the privacy of such persons by preventing indiscriminate access to such information. Provision is made for any person whose name is programmed into a computer installation or other filing system to check the accuracy of the data recorded and to require the expunging of that which is incorrect, unfair or out of date as determined by an independent third party. Registration of all such computer installations is required and penalties are provided for any operator of an installation who contravenes the provisions of the Act.

An Act to provide for Data Surveillance and Privacy

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "data" means information that has been fed into and stored in a data bank;
- (b) "data bank" means a filing system (including a computer) that records and stores information;
- (c) "Minister" means the Minister of Financial and Commercial Affairs;
- (d) "operator" means the person responsible for the operation of a data bank and for the introduction into and extraction from it of data;
- (e) "owner" means the person who owns the machinery comprising the data bank;
- (f) "print-out" means a full copy of information contained in the data bank supplied and translated into normal typescript where necessary;
- (g) "Registrar" means the Registrar of Data Banks.

2. There shall be appointed a Registrar of Data Banks. Registrar

3.—(1) A register shall be kept by the Registrar of all Register to
be kept data banks operated by,

- (a) The Government of the Province of Ontario or any board, commission or agency thereof including school boards;
- (b) a local municipality or any board, commission or agency thereof;

- (c) any person offering to supply information about any other person's credit worthiness, whether to members of a particular trade or otherwise and irrespective of whether payment is made therefor;
- (d) any private investigator or other person undertaking to carry out investigations into any other person's character, abilities or conduct on behalf of third parties;
- (e) any person who offers for sale information stored in such data bank, whether to the general public or otherwise.

Contents of
register

(2) The register shall set forth in respect of each data bank,

- (a) the name and address of the owner of the data bank;
- (b) the name and address of the person responsible for its operation;
- (c) the location of the data bank;
- (d) such technical specifications relating to the data bank as may be required by the Registrar;
- (e) the nature of the data stored or to be stored therein;
- (f) the purpose for which data is stored therein; and
- (g) the class of persons authorized to extract data therefrom.

Owner and
operator to
furnish in-
formation

(3) The owner of the data bank shall furnish to the Registrar the information referred to in clauses *a* to *c* of subsection 2 and the person responsible for the operation of the data bank shall furnish the information referred to in clauses *a* to *g* of subsection 2.

Idem

(4) Subject to subsection 6, any person responsible for registering information under this section shall inform the Registrar of any alterations of, additions to or deletions from the said information within four weeks of such alteration taking effect.

Amend-
ment to
register

(5) If at any time the Registrar is of the opinion that in the circumstances the information given or sought to be given under clause *f* or *g* of subsection 2 might result in the infliction of undue hardship upon any person or persons or be not in

the interest of the public generally, he may order such entry to be expunged from or not entered in the register and in reaching a decision under this subsection or subsection 6, the Registrar shall be guided by the principle that only data relevant to the purposes for which the data bank is operated should be stored therein, and that such data should only be disclosed for those same purposes.

(6) An alteration to the register in respect of clause *f* or *g* of subsection 2 shall be made by application to the Registrar who shall, not later than four weeks after receipt of such application, grant or reject the application giving his reasons in writing. Application for alteration to register

(7) The register together with applications submitted in accordance with subsection 6 shall be open to inspection by the public, including the press, during normal office hours, provided that entries relating to data banks operated by a police force shall be kept in a separate part of the register which shall not be open to inspection by the public. Register open to public; exception

4.—(1) This section applies to all data banks that are required to be registered under section 2 except for, Records to be maintained by operators of certain data banks

(a) data banks which do not contain personal information relating to identifiable persons; and

(b) data banks operated by a police force.

(2) The operator of each data bank to which this section applies shall maintain a written record in which shall be recorded the date of each extraction of data therefrom, the identity of the person requesting the data, the nature of the data supplied and the purpose for which it was required. Contents of print-out

5.—(1) Any person about whom information is stored in a data bank to which section 4 applies shall receive from the operator, not later than two months after his name is first programmed into the data bank, a print-out of all the data contained therein which relates to him and thereafter, he shall be entitled to demand such a print-out at any time upon payment of a fee the amount of which shall be determined by the Registrar, from time to time, and the operator shall supply such print-out within three weeks of such demand. Information to be supplied by operators of certain data banks

(2) Every print-out supplied in accordance with this section shall be accompanied by a statement setting forth, Contents of print-out

(a) the purpose for which the data contained in the print-out is to be used, as entered on the register referred to in section 3;

(b) the purposes for which the said data has in fact been used since the last print-out supplied in accordance with this section; and

(c) the names and addresses of all recipients of all or part of the said data since the last print-out supplied in accordance with this section.

Applica-
tion for
amendments
or
expunging
of data

6.—(1) Any person who has received a print-out in accordance with section 5 may, after having notified the operator of the data bank of his objection, apply to the Registrar for an order that any or all of the data contained therein be amended, added to or expunged on the ground that it is incorrect, unfair or out of date in the light of the purposes for which it is stored in the data bank.

Ancillary
order

(2) The Registrar may, if he grants an order under subsection 1, issue an ancillary order that all or any of the recipients of the said data be notified of the terms of the order.

Appeal

7. An appeal lies to the Court of Appeal from any decision made by the Registrar under this Act.

Liability
for damage

8. An operator of a data bank to which this Act applies who causes or permits inaccurate personal data to be supplied from the data bank as a result of which the person to whom the data refers suffers loss, shall be liable in damages to such person.

Offence

9.—(1) Every person who fails to furnish to the Registrar any information that he is required to furnish under this Act in respect of a data bank is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000 or to imprisonment for not more than five years, or to both.

Idem

(2) Where the operator of a data bank to which section 4 applies,

(a) fails or refuses to send a print-out when under a duty so to do;

(b) permits data stored in the data bank to be used for purposes other than those stated on the register;

(c) allows access to the said data to persons other than those entered on the register as having authorized access; or

(d) fails or refuses to comply with a decision of the Registrar,

he shall be liable in damages to the person whose personal data is involved and, where such acts or omissions are wilful, is guilty of an offence and on summary conviction is liable to a fine of not more than \$10,000 or to imprisonment for not more than five years, or to both.

(3) A person who aids, abets, counsels or procures the commission of an offence described in this section or with knowledge of its wrongful acquisition receives, uses, handles, sells or otherwise disposes of information obtained as a result of the commission of such an offence, shall likewise be guilty of the said offence. ^{Idem}

10. The Minister, subject to the approval of the Lieutenant Governor in Council, may make regulations ^{Regulations}

- (a) prescribing the manner of keeping the register and the records referred to in sections 3 and 4;
- (b) regulating and governing access by the public to the register;
- (c) prescribing procedures for hearing objections and argument on a proposal to alter or expunge from the register under subsection 5 of section 3;
- (d) prescribing procedures on an application to alter the register under subsection 6 of section 3;
- (e) providing for verification of the identity of a person demanding a print-out under section 5.

11.—(1) The Registrar shall make an annual report to the Minister in which he shall state, ^{Annual report}

- (a) the number of data banks entered on the register;
- (b) the number of data banks to which clauses *a*, *b* and *c* of subsection 1 of section 4 apply respectively;
- (c) the number of instances in which he has ordered entries to be amended under subsection 5 of section 3 and refused an application to alter an entry under subsection 6 of section 3; and
- (d) such additional information, statistical or otherwise, as he may think proper.

(2) The Minister shall submit the annual report to the Lieutenant Governor in Council and shall then lay the report before the Legislative Assembly if it is in session or, if not, at the next ensuing session. ^{Tabling}

Commence-
ment

12. This Act comes into force on the first day of July, 1971.

Short title

13. This Act may be cited as *The Data Surveillance and Privacy Act, 1970*.

An Act to provide for
Data Surveillance and Privacy

1st Reading

April 1st, 1970

2nd Reading

3rd Reading

MR. REID (Scarborough East)

A20N
KB
-B56

BILL 47

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Landlord and Tenant Act

MR. DEANS



EXPLANATORY NOTES

SECTION 1—Subsection 1. The amendment provides for a standard form of lease that cannot be departed from.

Subsection 2. The amendment provides for a Rental Review Board with power to determine the amount of rent in individual cases where an increase is demanded.

BILL 47

1970

An Act to amend The Landlord and Tenant Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Part IV of *The Landlord and Tenant Act*, as enacted by section 3 of *The Landlord and Tenant Amendment Act, 1968-69*, is amended by adding thereto the following section: R.S.O. 1960, c. 206, Part IV (1968-69, c. 58, s. 3), amended

81a.—(1) The Lieutenant Governor in Council shall prescribe by regulation the form of tenancy agreement for residential premises and every tenancy agreement shall be deemed to be in the form so prescribed. Standard form of tenancy agreement

(2) Any terms in a tenancy agreement, other than those contained or permitted to be inserted in the form prescribed under subsection 1, shall be deemed to be void and of no effect. Additional terms prohibited

(2) The said Part IV is further amended by adding thereto the following sections: R.S.O. 1960, c. 206, Part IV (1968-69, c. 58, s. 3), amended

110.—(1) There shall be a board to be known as the Rental Review Board. Rental Review Board established

(2) The Lieutenant Governor in Council shall appoint such number of members to the Rental Review Board as he considers adequate and shall appoint one of such members as chairman and one or more other such members as vice-chairmen. Composition of Board

(3) At least three members of the Board, one of whom shall be the chairman or vice-chairman, constitute a quorum. Quorum

(4) The chairman shall have general supervision and direction over the conduct of the affairs of the Board, Duties of chairman

and shall arrange the sittings of the Board and assign members to conduct hearings as circumstances require.

Site of
hearings

- (5) The Rental Review Board shall hold its hearings,
- (a) in the city, metropolitan municipality or regional municipality in which the rented premises are situate; or
 - (b) where the rented premises are not situate in a municipality mentioned in clause *a*, in the county or district in which the rented premises are situate.

Application
to Board

- 111.—(1) Where a tenant is in possession of residential premises and his continuing in possession is subject to the payment of an increased rent, the tenant may apply to the Rental Review Board for a review of the amount of the rent.

Notice of
hearing

- (2) The Board shall fix a date for the hearing and shall serve notice of the hearing on the parties at least ten days before the day fixed.

Idem

- (3) The notice of hearing shall contain,
- (a) a statement of the time and place of the hearing;
 - (b) a statement identifying the subject-matter of the application;
 - (c) a reference to the rules of procedure applicable to the hearing;
 - (d) a statement that, if a party who has been duly notified does not attend at the hearing, the Board may proceed in his absence and he is not entitled to notice of any further proceedings.

Parties

- (4) The landlord, the tenant and any other person specified by the Board are parties to the hearing.

Failure to
attend

- (5) If a person who has been duly notified of a hearing does not attend, the Board may proceed in his absence.

Adjourn-
ment

- (6) A hearing may be adjourned from time to time by the Board on reasonable grounds,

- (a) on its own motion; or
 - (b) on the motion of any party to the hearing.
- (7) The Board may, in the prescribed form, command ^{Subpoenas} the attendance before it of any person as a witness.
- (8) The Board may require any person, ^{Oaths}
- (a) to give evidence on oath at a hearing; and
 - (b) to produce such documents and things as the Board requires.
- (9) The Board may admit evidence not given under ^{Idem} oath.
- (10) Any person who, without lawful excuse, ^{Offences}
- (a) on being duly summoned as a witness before the Board makes default in attending; or
 - (b) being in attendance as a witness before the Board refuses to take an oath legally required by the Board to be taken, or to produce any document or thing in his power or control legally required by the Board to be produced by him, or to answer any question to which the Board may legally require an answer; or
 - (c) does any other thing that would, if the Board had been a court of law having power to commit for contempt, have been contempt of that court,
- is guilty of an offence punishable under subsection 11.
- (11) The Board may certify an offence under subsection 10 ^{Enforce-ment} to the High Court and that court may thereupon inquire into the offence and after hearing any witnesses who may be produced against or on behalf of the person charged with the offence, and after hearing any statement that may be offered in defence, punish or take steps for the punishment of that person in like manner as if he had been guilty of contempt of the court.
- (12) Any party may be represented before the Board by ^{Right of party to counsel} counsel or agent.

- | | |
|--|---|
| Right of witness to counsel | (13) Any witness may be represented before the Board by counsel or agent, but at the hearing the counsel or agent may only advise the witness and state objections under the provisions of the relevant law. |
| Exclusion of counsel | (14) Where a hearing is <i>in camera</i> , a counsel or agent for a witness shall be excluded except when that witness is giving evidence. |
| Right of parties at hearing | (15) At a hearing before the Board, any party may call and examine his witnesses, cross-examine opposing witnesses and present his arguments and submissions. |
| Hearings to be open to public; exceptions | (16) All hearings shall be open to the public except where the Board finds that intimate financial or personal circumstances of any person may be disclosed, in which case the Board shall hold the hearing as to any such matters <i>in camera</i> . |
| Idem | (17) Notwithstanding the exceptions mentioned in subsection 16, the Board may, if in its opinion the public interest so requires, proceed without regard to such exceptions. |
| Release of exhibits | (18) Documents and things put in evidence at a hearing shall, upon the request of the person who produced them, be released to him by the Board within a reasonable time after the matter in issue has been finally determined. |
| Specialized knowledge | (19) The Board may consider in reaching its decision any facts and information that are within its knowledge and that have not been introduced in evidence. |
| Notice | (20) The Board shall notify all parties to a proceeding of any facts or information referred to in subsection 19 and shall, before reaching its decision, give the parties an opportunity to contest before it any such facts or information. |
| Contents and service of notice | (21) The Board shall cause a notice containing a statement of such facts or information to be served upon all the parties. |
| Order of Board | 112.—(1) The Rental Review Board shall, after a hearing, determine the amount of rent that is reasonable in all the circumstances and may order that the rental agreement be continued at the rental mentioned in the order. |
| Termination of tenancy while application pending | (2) A landlord shall not terminate a rental agreement except for cause while an application to the Rental Review Board under this section is pending. |

- (3) In the case of a weekly or monthly tenancy, the Board may order that the landlord shall not terminate the tenancy, except for cause, for a period named in the order, not exceeding one year. Termination of periodic tenancy after order
- (4) The Board shall serve upon the parties written reasons for its decisions. Reasons
- 2.** Subsection 1 of section 1 applies to tenancy agreements entered into or renewed after the 1st day of July, 1970. Application of section 1, subsection 1
- 3.—**(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent. Commencement
- (2) Subsection 2 of section 1 comes into force on the 1st day of July, 1970. Idem
- 4.** This Act may be cited as *The Landlord and Tenant Amendment Act, 1970*. Short title

An Act to amend
The Landlord and Tenant Act

1st Reading

April 2nd, 1970

2nd Reading

3rd Reading

MR. DEANS

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Cemeteries Act

MR. GOOD



EXPLANATORY NOTE

The Cemeteries Act now requires corporate owners of cemeteries and municipally owned cemeteries to provide free graves for the burial of strangers and indigents. The amendment requires such graves to be marked.

BILL 48

1970

An Act to amend The Cemeteries Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 51 of *The Cemeteries Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 47, s. 51,
amended

- (2) Where a grave is provided under subsection 1, the Markers
incorporated company or municipality that provides the grave shall install on the grave a granite marker having dimensions of at least twelve inches by eight inches by four inches on which is inscribed the name, date of birth and date of death of the deceased, where known.

2. This Act may be cited as *The Cemeteries Amendment Act, 1970*. Short title

An Act to amend
The Cemeteries Act

1st Reading

April 6th, 1970

2nd Reading

3rd Reading

MR. GOOD

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B
B 56

BILL 49

Government
Publication

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Retail Sales Tax Act, 1960-61

MR. WHITE



EXPLANATORY NOTES

SECTION 1—Subsections 1 and 2. The definition of a consumer or user is amended to include a person who on his own behalf or at his expense utilizes a taxable service in Ontario.

Subsection 3. The amendment provides that a place of amusement includes a place where a public dance is held if liquor, beer or wine is served at the dance. The amendment brings the definition of a "place of amusement" in line with the definition previously contained in *The Hospitals Tax Act* which was repealed.

An Act to amend The Retail Sales Tax Act, 1960-61

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of paragraph 3 of section 1 of *The Retail Sales Tax Act, 1960-61* is amended by inserting after “prop-<sup>1960-61,
c. 91, s. 1,
par. 3.
cl. a,</sup>erty” in the second line “or a taxable service”, so that the amended clause shall read as follows:

- (a) utilizes or intends to utilize in Ontario tangible personal property or a taxable service for his own consumption or for the consumption of any other person at his expense, or

(2) Clause *b* of paragraph 3 of the said section 1 is repealed<sup>1960-61,
c. 91, s. 1,
par. 3, cl. b,
re-enacted</sup> and the following substituted therefor:

- (b) utilizes or intends to utilize in Ontario tangible personal property or a taxable service on behalf of or as the agent for a principal who desired or desires to so utilize such property or taxable service for consumption by the principal or by any person at the expense of the principal.

(3) Paragraph 7*a* of the said section 1, as enacted by sub-<sup>1960-61,
c. 91, s. 1,
par. 7*a*,
(1968-69,
c. 113, s. 1,
subs. 5).</sup>section 5 of section 1 of *The Retail Sales Tax Amendment Act, 1968-69*, is amended by inserting after “held” in the seventh line “or where facilities for dancing are provided to the public^{amended} with the service of liquor, beer or wine”, so that the paragraph shall read as follows:

- 7*a*. “place of amusement” means a premises or place, whether enclosed or not, where a cinematograph or moving picture machine or similar apparatus is operated, or where a theatrical performance, carnival, circus, side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance

is staged or held, or where facilities for dancing are provided to the public with the service of liquor, beer or wine, and to which admission is granted upon payment of a price of admission through the sale of tickets or otherwise.

1960-61,
c. 91, s. 1,
par. 11, cl. g
(1962-63,
c. 127, s. 1,
subs. 2),
amended

(4) Clause *g* of paragraph 11 of the said section 1, as enacted by subsection 2 of section 1 of *The Retail Sales Tax Amendment Act, 1962-63*, is amended by inserting after “property” in the second line “or the production of a taxable service”, so that the clause shall read as follows:

- (g) the production, fabrication, processing, printing or imprinting of tangible personal property or the production of a taxable service by a person for his own consumption or use when that person furnishes either directly or indirectly the materials and labour used in such production, fabrication, processing, printing or imprinting.

1960-61,
c. 91, s. 3,
sub. 1
(1968-69,
c. 113, s. 3,
subs. 1),
amended

2. Subsection 1 of section 3 of *The Retail Sales Tax Act, 1960-61*, as re-enacted by subsection 1 of section 3 of *The Retail Sales Tax Amendment Act, 1968-69*, is amended by inserting after “any” in the first line “taxable”, so that the subsection shall read as follows:

Vendor
permits

- (1) No vendor shall sell any taxable tangible personal property or taxable services or operate a place of amusement unless he has been granted upon his application a permit for each place in Ontario where he transacts business and such permit is in force at the time of the sale.

1960-61,
c. 91, s. 5,
subs. 1,
amended

3.—(1) Subsection 1 of section 5 of *The Retail Sales Tax Act, 1960-61*, as amended by subsection 1 of section 2 of *The Retail Sales Tax Amendment Act, 1962-63*, is further amended by inserting after “property” in the amendment of 1962-63 “and taxable services”, so that the subsection, exclusive of the paragraphs, shall read as follows:

Exemptions

- (1) The purchaser of the following classes of tangible personal property and taxable services is exempt from the tax imposed by this Act:

.

1960-61,
c. 91, s. 5,
subs. 1,
amended

(2) Subsection 1 of the said section 5 is further amended by adding thereto the following paragraph:

38. dies, jigs, fixtures and moulds, patterns for dies, jigs, fixtures and moulds, tools attached to production machinery, explosives and refractory materials, all

Subsection 4. The definition of a sale is amended to include the consumption of a taxable service by a vendor who produced the taxable service.

SECTION 2. At present, a vendor's permit must be obtained even if the vendor only sold non-taxable tangible personal property. By the amendment, only a vendor who sells a taxable service or taxable tangible personal property will be able to obtain a vendor's permit.

SECTION 3—Subsection 1. The amendment will now allow certain classes of taxable services to be exempted from tax. Previously, only classes of tangible personal property could be exempted.

Subsection 2. The amendment will allow manufacturers to purchase the items listed, which fall into the general category of production tools, explosives and refractory materials, exempt from tax.

Subsection 3. The amendment clarifies under what conditions coins and money can be purchased exempt from tax.

Subsection 4. The amendment provides that Indians on a reserve may purchase a taxable service exempt from tax.

SECTION 4—Subsection 1. The amendment will permit notice of assessment to be mailed to a vendor by ordinary mail. Previously, all notices of assessment had to be served by registered mail or personally.

Subsection 2. The subsection repealed is no longer necessary. The substance of this subsection is now contained in subsections 7 and 9 of section 13 of the Act.

Subsection 3. The amendment is complementary to the amendment contained in subsection 1.

SECTION 5. The vendor has twenty days in which to notify the Minister if a purchaser refuses to pay the tax.

as defined by the Minister and consumed or expended by the purchaser thereof directly in the process of manufacture of tangible personal property for sale or use.

(3) Paragraph 55 of subsection 1 of the said section 5, as enacted by subsection 9 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor:

1960-61,
c. 91, s. 5,
subs. 1,
par. 55
(1961-62,
c. 126, s. 3,
subs. 9),
re-enacted

55. coin, paper money or bank notes unless purchased at a price greater than the equivalent face value thereof in Canadian funds.

(4) Subsection 1 of the said section 5 is further amended by adding thereto the following paragraph:

1960-61,
c. 91, s. 5,
subs. 1,
amended

68. taxable services used on a reserve, as defined by the *Indian Act* (Canada), when purchased by an Indian.

R.S.C. 1952,
c. 149

4.—(1) Subsection 4 of section 13 of *The Retail Sales Tax Act, 1960-61*, as amended by subsection 4 of section 13 of *The Retail Sales Tax Amendment Act, 1968-69*, is repealed and the following substituted therefor:

1960-61,
c. 91, s. 13,
subs. 4,
re-enacted

(4) Where the Minister has made an assessment under subsection 1, he may send by prepaid mail or by personal service a notice of assessment to the vendor, requiring that the amount of the assessment made under subsection 1 be remitted to the Treasurer of Ontario or otherwise accounted for.

Notice of
assessment
under subs. 1

(2) Subsection 5 of the said section 13 is repealed.

1960-61,
c. 91, s. 13,
subs. 5,
repealed

(3) Subsection 6 of the said section 13, as amended by subsection 5 of section 13 of *The Retail Sales Tax Amendment Act, 1968-69*, is further amended by striking out "registered" in the first line and inserting in lieu thereof "prepaid", so that the subsection shall read as follows:

1960-61,
c. 91, s. 13,
subs. 6,
amended

(6) The Minister shall send by prepaid mail a notice of the assessment made under subsection 2 or 3 to the vendor or purchaser, as the case may be, at his last known address, and, where the vendor or purchaser has more than one address, one of which is in Ontario, such notice shall be sent to his address in Ontario.

Notice of
assessment
under
subs. 2 or 3

5. Section 15 of *The Retail Sales Tax Act, 1960-61*, as re-enacted by section 6 of *The Retail Sales Tax Amendment Act, 1961-62* and amended by section 8 of *The Retail Sales Tax Amendment Act, 1964* and section 15 of *The Retail Sales Tax Amendment Act, 1968-69*, is further amended by striking

1960-61,
c. 91, s. 15
(1961-62,
c. 126, s. 6),
amended

out “immediately” in the fourth line and inserting in lieu thereof “within twenty days thereafter”, so that the section shall read as follows:

Purchaser
liable for tax

15. The purchaser is liable for the tax imposed by this Act until it is collected, and, where the purchaser refuses to pay the tax at the time it is collectable under section 7, the vendor shall within twenty days thereafter notify the Minister thereof.

1960-61, .
c. 91, s. 25,
subs. 1,
re-enacted

6. Subsection 1 of section 25 of *The Retail Sales Tax Act, 1960-61*, as amended by section 3 of *The Retail Sales Tax Amendment Act, 1967*, is repealed and the following substituted therefor:

Penalty for
default in
filing return
or remitting
tax

- (1) Every vendor who fails to deliver a return or to remit the tax collectable or payable as and when required shall pay a penalty of,
- (a) an amount equal to 5 per cent of the tax that was collectable and of the tax that was payable by him for the period covered by the return, if the amount of such tax was less than \$10,000; and
 - (b) \$500, if the amount of such tax was \$10,000 or more.

1960-61,
c. 91,
amended

7. *The Retail Sales Tax Act, 1960-61* is amended by adding thereto the following section:

Interest on
over-
payments

27a.—(1) Where an amount in respect of an overpayment is refunded or applied on other liability, interest at such rate as is prescribed by the regulations shall be paid or applied thereon for the period commencing on the day the overpayment arose and ending with the day of refunding or application on other liability, unless the amount of interest so calculated is less than \$1, in which event no interest shall be paid or applied under this subsection.

Idem

- (2) Where by a decision of the Minister under section 17 or by a decision of a court it is finally determined that the tax payable under this Act by a person is less than the amount assessed by the assessment under section 13 to which objection was made or from which the appeal was taken and the decision makes it appear that there has been an overpayment of tax, the interest payable under subsection 1 on that overpayment shall be computed at such rate as is prescribed by the regulations.

SECTION 6. The amendment provides a penalty if the tax is not remitted to the Minister when required.

SECTION 7. The new section will allow interest at the rate prescribed in the regulations to be paid on overpayments.

SECTION 8. The Lieutenant Governor in Council is authorized to prescribe the rates of interest payable under the Act.

8. Clause *h* of subsection 2 of section 39 of *The Retail Sales Tax Act, 1960-61*, as enacted by subsection 2 of section 29 of *The Retail Sales Tax Amendment Act, 1968-69* is repealed and the following substituted therefor:

1960-61,
c. 91, s. 39,
subs. 2,
cl. *h*
(1968-69,
c. 113, s. 29,
subs. 2),
re-enacted

(*h*) prescribing the rates of interest payable under this Act.

9.—(1) This Act, except subsection 2 of section 3, comes into force on the day it receives Royal Assent.

Commence-
ment

(2) Subsection 2 of section 3 comes into force on the 1st day of June, 1970.

Idem

10. This Act may be cited as *The Retail Sales Tax Amendment Act, 1970*.

Short title

An Act to amend
The Retail Sales Tax Act, 1960-61

1st Reading

April 6th, 1970

2nd Reading

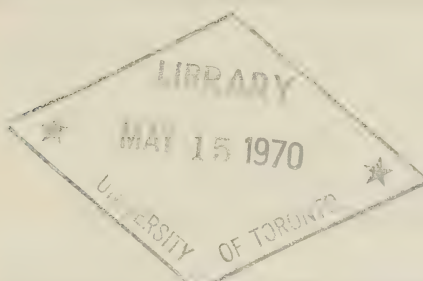
3rd Reading

MR. WHITE

BILL 49

Government
Publications

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Retail Sales Tax Act, 1960-61

MR. WHITE

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 49

1970

**An Act to amend
The Retail Sales Tax Act, 1960-61**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of paragraph 3 of section 1 of *The Retail Sales Tax Act, 1960-61* is amended by inserting after “pro-^{1960-61, c. 91, s. 1, par. 3, cl. *a*,}erty” in the second line “or a taxable service”, so that the amended clause shall read as follows:

- (a) utilizes or intends to utilize in Ontario tangible personal property or a taxable service for his own consumption or for the consumption of any other person at his expense, or

(2) Clause *b* of paragraph 3 of the said section 1 is repealed^{1960-61, c. 91, s. 1, par. 3, cl. *b*,} and the following substituted therefor: re-enacted

- (b) utilizes or intends to utilize in Ontario tangible personal property or a taxable service on behalf of or as the agent for a principal who desired or desires to so utilize such property or taxable service for consumption by the principal or by any person at the expense of the principal.

(3) Paragraph 7*a* of the said section 1, as enacted by sub-^{1960-61, c. 91, s. 1, par. 7*a*}section 5 of section 1 of *The Retail Sales Tax Amendment Act, (1968-69, c. 113, s. 1, subs. 5),* is amended by inserting after “held” in the seventh^{amended} line “or where facilities for dancing are provided to the public with the service of liquor, beer or wine”, so that the paragraph shall read as follows:

- 7*a*. “place of amusement” means a premises or place, whether enclosed or not, where a cinematograph or moving picture machine or similar apparatus is operated, or where a theatrical performance, carnival, circus, side show, menagerie, concert, rodeo, exhibition, horse race, athletic contest or other performance

is staged or held, or where facilities for dancing are provided to the public with the service of liquor, beer or wine, and to which admission is granted upon payment of a price of admission through the sale of tickets or otherwise.

1960-61,
c. 91, s. 1,
par. 11, cl. g
(1962-63,
c. 127, s. 1,
subs. 2),
amended

(4) Clause g of paragraph 11 of the said section 1, as enacted by subsection 2 of section 1 of *The Retail Sales Tax Amendment Act, 1962-63*, is amended by inserting after "property" in the second line "or the production of a taxable service", so that the clause shall read as follows:

- (g) the production, fabrication, processing, printing or imprinting of tangible personal property or the production of a taxable service by a person for his own consumption or use when that person furnishes either directly or indirectly the materials and labour used in such production, fabrication, processing, printing or imprinting.

1960-61,
c. 91, s. 3,
sub. 1
(1968-69,
c. 113, s. 3,
subs. 1),
amended

2. Subsection 1 of section 3 of *The Retail Sales Tax Act, 1960-61*, as re-enacted by subsection 1 of section 3 of *The Retail Sales Tax Amendment Act, 1968-69*, is amended by inserting after "any" in the first line "taxable", so that the subsection shall read as follows:

Vendor
permits

- (1) No vendor shall sell any taxable tangible personal property or taxable services or operate a place of amusement unless he has been granted upon his application a permit for each place in Ontario where he transacts business and such permit is in force at the time of the sale.

1960-61,
c. 91, s. 5,
subs. 1,
amended

3.—(1) Subsection 1 of section 5 of *The Retail Sales Tax Act, 1960-61*, as amended by subsection 1 of section 2 of *The Retail Sales Tax Amendment Act, 1962-63*, is further amended by inserting after "property" in the amendment of 1962-63 "and taxable services", so that the subsection, exclusive of the paragraphs, shall read as follows:

Exemptions

- (1) The purchaser of the following classes of tangible personal property and taxable services is exempt from the tax imposed by this Act:

.

1960-61,
c. 91, s. 5,
subs. 1,
amended

(2) Subsection 1 of the said section 5 is further amended by adding thereto the following paragraph:

38. dies, jigs, fixtures and moulds, patterns for dies, jigs, fixtures and moulds, tools attached to production machinery, explosives and refractory materials, all

as defined by the Minister and consumed or expended by the purchaser thereof directly in the process of manufacture of tangible personal property for sale or use.

(3) Paragraph 55 of subsection 1 of the said section 5, as enacted by subsection 9 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor: 1960-61, c. 91, s. 5, subs. 1, par. 55 (1961-62, c. 126, s. 3, subs. 9), re-enacted

55. coin, paper money or bank notes unless purchased at a price greater than the equivalent face value thereof in Canadian funds.

(4) Subsection 1 of the said section 5 is further amended by adding thereto the following paragraph: 1960-61, c. 91, s. 5, subs. 1, amended

68. taxable services used on a reserve, as defined by the *Indian Act* (Canada), when purchased by an Indian. R.S.C. 1952, c. 149

4.—(1) Subsection 4 of section 13 of *The Retail Sales Tax Act, 1960-61*, as amended by subsection 4 of section 13 of *The Retail Sales Tax Amendment Act, 1968-69*, is repealed and the following substituted therefor: 1960-61, c. 91, s. 13, subs. 4, re-enacted

(4) Where the Minister has made an assessment under subsection 1, he may send by prepaid mail or by personal service a notice of assessment to the vendor, requiring that the amount of the assessment made under subsection 1 be remitted to the Treasurer of Ontario or otherwise accounted for. Notice of assessment under subs. 1

(2) Subsection 5 of the said section 13 is repealed. 1960-61, c. 91, s. 13, subs. 5, repealed

(3) Subsection 6 of the said section 13, as amended by subsection 5 of section 13 of *The Retail Sales Tax Amendment Act, 1968-69*, is further amended by striking out "registered" in the first line and inserting in lieu thereof "prepaid", so that the subsection shall read as follows: 1960-61, c. 91, s. 13, subs. 6, amended

(6) The Minister shall send by prepaid mail a notice of the assessment made under subsection 2 or 3 to the vendor or purchaser, as the case may be, at his last known address, and, where the vendor or purchaser has more than one address, one of which is in Ontario, such notice shall be sent to his address in Ontario. Notice of assessment under subs. 2 or 3

5. Section 15 of *The Retail Sales Tax Act, 1960-61*, as re-enacted by section 6 of *The Retail Sales Tax Amendment Act, 1961-62* and amended by section 8 of *The Retail Sales Tax Amendment Act, 1964* and section 15 of *The Retail Sales Tax Amendment Act, 1968-69*, is further amended by striking 1960-61, c. 91, s. 15 (1961-62, c. 126, s. 6), amended

out "immediately" in the fourth line and inserting in lieu thereof "within twenty days thereafter", so that the section shall read as follows:

Purchaser
liable for tax

15. The purchaser is liable for the tax imposed by this Act until it is collected, and, where the purchaser refuses to pay the tax at the time it is collectable under section 7, the vendor shall within twenty days thereafter notify the Minister thereof.

1960-61,
c. 91, s. 25,
subs. 1,
re-enacted

6. Subsection 1 of section 25 of *The Retail Sales Tax Act, 1960-61*, as amended by section 3 of *The Retail Sales Tax Amendment Act, 1967*, is repealed and the following substituted therefor:

Penalty for
default in
filing return
or remitting
tax

- (1) Every vendor who fails to deliver a return or to remit the tax collectable or payable as and when required shall pay a penalty of,
- (a) an amount equal to 5 per cent of the tax that was collectable and of the tax that was payable by him for the period covered by the return, if the amount of such tax was less than \$10,000; and
 - (b) \$500, if the amount of such tax was \$10,000 or more.

1960-61,
c. 91,
amended

7. *The Retail Sales Tax Act, 1960-61* is amended by adding thereto the following section:

Interest on
over-
payments

- 27a.—(1) Where an amount in respect of an overpayment is refunded or applied on other liability, interest at such rate as is prescribed by the regulations shall be paid or applied thereon for the period commencing on the day the overpayment arose and ending with the day of refunding or application on other liability, unless the amount of interest so calculated is less than \$1, in which event no interest shall be paid or applied under this subsection.

Idem

- (2) Where by a decision of the Minister under section 17 or by a decision of a court it is finally determined that the tax payable under this Act by a person is less than the amount assessed by the assessment under section 13 to which objection was made or from which the appeal was taken and the decision makes it appear that there has been an overpayment of tax, the interest payable under subsection 1 on that overpayment shall be computed at such rate as is prescribed by the regulations.

8. Clause *h* of subsection 2 of section 39 of *The Retail Sales Tax Act, 1960-61*, as enacted by subsection 2 of section 29 of *The Retail Sales Tax Amendment Act, 1968-69* is repealed and the following substituted therefor:

1960-61,
c. 91, s. 39,
subs. 2,
cl. *h*
(1968-69,
c. 113, s. 29,
subs. 2),
re-enacted

(*h*) prescribing the rates of interest payable under this Act.

9.—(1) This Act, except subsection 2 of section 3, comes into force on the day it receives Royal Assent.

Commence-
ment

(2) Subsection 2 of section 3 comes into force on the 1st day of June, 1970.

Idem

10. This Act may be cited as *The Retail Sales Tax Amendment Act, 1970*.

Short title

An Act to amend
The Retail Sales Tax Act, 1960-61

1st Reading

April 6th, 1970

2nd Reading

April 14th, 1970

3rd Reading

April 22nd, 1970

MR. WHITE

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Income Tax Act, 1961-62

MR. WHITE



EXPLANATORY NOTE

The administration of *The Income Tax Act, 1961-62* was transferred to the Minister of Revenue by *The Department of Revenue Act, 1968*. The amendments contained in this Bill reflect this organizational change in that the responsibilities and duties of the Treasurer of Ontario are transferred to the Minister of Revenue. All moneys payable to the Consolidated Revenue Fund under this Act remain payable to the Treasurer of Ontario.

BILL 50

1970

An Act to amend The Income Tax Act, 1961-62

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 7 of subsection 1 of section 1 of *The Income Tax Act, 1961-62* is amended by striking out “Deputy Provincial Treasurer” in the first and second lines and inserting in lieu thereof “Deputy Minister of Revenue”, so that the paragraph shall read as follows:

7. “deputy head” means the Deputy Minister of Revenue, or, where a collection agreement is entered into, means the Deputy Minister of National Revenue for Taxation.

(2) Paragraph 20 of subsection 1 of the said section 1 is amended by striking out “Treasurer” in the third line and inserting in lieu thereof “Provincial Minister”.

(3) Subsection 1 of the said section 1, as amended by section 1 of *The Income Tax Amendment Act, 1961-62* and section 1 of *The Income Tax Amendment Act, 1962-63*, is further amended by adding thereto the following paragraph:

21a. “Provincial Minister” means the Minister of Revenue.

(4) Paragraph 22 of subsection 1 of the said section 1 is repealed and the following substituted therefor:

22. “Receiver General for Canada” means the Receiver General for Canada, but in any provision of the Federal Act that is incorporated by reference in this Act, unless a collection agreement is entered into, a reference to the Receiver General for Canada shall be read and construed for the purposes of this Act as a reference to the Treasurer.

(5) Paragraph 27 of subsection 1 of the said section 1 is repealed and the following substituted therefor:

27. "Treasurer" means the Treasurer of Ontario and Minister of Economics, or where a collection agreement is entered into, means,

i. in relation to the remittance of any amount as or on account of tax payable under this Act, the Receiver General for Canada, and

ii. in relation to any other matter, the Minister.

1961-62,
c. 60, s. 4a
(1964, c. 43,
s. 1), subs. 5,
amended

2. Subsection 5 of section 4a of *The Income Tax Act, 1961-62*, as enacted by section 1 of *The Income Tax Amendment Act, 1964*, is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 6,
subs. 1,
amended

3.—(1) Subsection 1 of section 6 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the third line and in the seventeenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 6,
subs. 2,
amended

(2) Subsection 2 of the said section 6 is amended by striking out "Treasurer" in the fourth line and in the sixth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 1,
amended

4.—(1) Subsection 1 of section 8 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 2,
amended

(2) Subsection 2 of the said section 8 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 4,
amended

(3) Subsection 4 of the said section 8 is amended by striking out "Treasurer" in the first line and in the tenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 6,
amended

(4) Subsection 6 of the said section 8 is amended by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 7,
amended

(5) Subsection 7 of the said section 6 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 12,
subs. 2,
amended

5. Subsection 2 of section 12 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and in the second line and inserting in lieu thereof in each instance "Provincial Minister".

6. Subsection 6 of section 14 of *The Income Tax Act*, 1961-62, c. 60, s. 14, 1961-62 is amended by striking out "Treasurer" in the fifth line and in the eleventh line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 6, amended

7. Subsection 3 of section 15 of *The Income Tax Act*, 1961-62, c. 60, s. 15, 1961-62 is amended by striking out "Treasurer" in the third line and in the eighth line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 3, amended

8.—(1) Subsection 1 of section 17 of *The Income Tax Act*, 1961-62, c. 60, s. 17, 1961-62 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".
subs. 1, amended

(2) Subsection 2 of the said section 17 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 17, subs. 2, amended

(3) Subsection 4 of the said section 17 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 17, subs. 4, amended

9.—(1) Subsection 1 of section 18 of *The Income Tax Act*, 1961-62, c. 60, s. 18, 1961-62 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".
subs. 1, amended

(2) Subsection 2 of the said section 18 is amended by striking out "deputy head" in the second and third lines and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 2, amended

(3) Subsection 3 of the said section 18 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 3, amended

(4) Subsection 4 of the said section 18 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 4, amended

(5) The said section 18 is amended by adding thereto the following subsection:
1961-62, c. 60, s. 18, amended

(5) The Provincial Minister may accept a notice of objection under this section notwithstanding that it was not served in duplicate or in the manner required by subsection 2.
Acceptance of notice

10.—(1) Subsection 1 of section 19 of *The Income Tax Act*, 1961-62, c. 60, s. 19, 1961-62 is amended by striking out "Treasurer" in the fifth line, in the eighth line and in the fourteenth line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 1, amended

1961-62,
c. 60, s. 19,
subs. 3,
amended

(2) Subsection 3 of the said section 19 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 19,
subs. 4,
amended

(3) Subsection 4 of the said section 19 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "deputy head" in the second and third lines and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 19,
subs. 6,
amended

(4) Subsection 6 of the said section 19 is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 20,
subs. 1,
amended

11. Subsection 1 of section 20 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 21,
subs. 3, cl. c,
subcl. iv,
amended

12.—(1) Subclause iv of clause c of subsection 3 of section 21 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 21,
subs. 4,
amended

(2) Subsection 4 of the said section 21 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 1,
re-enacted

13.—(1) Subsection 1 of section 25 of *The Income Tax Act, 1961-62* is repealed and the following substituted therefor:

Administra-
tion of Act

(1) The Provincial Minister shall administer and enforce this Act and control and supervise all persons employed to carry out or enforce this Act and the Deputy Minister of Revenue may exercise all the powers and perform the duties of the Provincial Minister under this Act.

1961-62,
c. 60, s. 25,
subs. 2,
amended

(2) Subsection 2 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 3,
amended

(3) Subsection 3 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 1,
cl. a,
amended

(4) Clause a of subsection 4 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

14. Subsection 1 of section 28 of *The Income Tax Act*, 1961-62, c. 60, s. 28, 1961-62, is amended by striking out "Treasurer" in the third subs. 1, amended line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

15. Section 28a of *The Income Tax Act*, 1961-62, c. 60, s. 28a, as enacted by section 4 of *The Income Tax Amendment Act*, (1962-63, c. 61, s. 4), 1962-63, is amended by striking out "Treasurer" in the first amended line and inserting in lieu thereof "Provincial Minister".

16.—(1) Subsection 1 of section 29 of *The Income Tax Act*, 1961-62, c. 60, s. 29, 1961-62, is amended by striking out "Treasurer" in the first subs. 1, amended line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 3 of the said section 29 is amended by 1961-62, c. 60, s. 29, striking out "Treasurer" in the first line and in the ninth subs. 3, amended line and inserting in lieu thereof in each instance "Provincial Minister".

17. Subsection 1 of section 30 of *The Income Tax Act*, 1961-62, c. 60, s. 30, 1961-62, is amended by striking out "Treasurer" in the second subs. 1, amended line and inserting in lieu thereof "Provincial Minister".

18.—(1) Subsection 1 of section 31 of *The Income Tax Act*, 1961-62, c. 60, s. 31, 1961-62, is amended by striking out "Treasurer" in the first subs. 1, amended line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 2 of the said section 31 is amended by 1961-62, c. 60, s. 31, striking out "Treasurer" in the second and third lines and subs. 2, amended inserting in lieu thereof "Provincial Minister".

19. Subsection 8 of section 32 of *The Income Tax Act*, 1961-62, c. 60, s. 32, 1961-62, is amended by striking out "Treasurer" in the first subs. 8, amended line and inserting in lieu thereof "Provincial Minister".

20.—(1) Subsection 1 of section 33 of *The Income Tax Act*, 1961-62, c. 60, s. 33, 1961-62, is amended by striking out "Treasurer" in the seventh subs. 1, amended line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 2 of the said section 33 is amended by 1961-62, c. 60, s. 33, striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister" in the third line and inserting in lieu thereof "Provincial Minister".

(3) Subsection 3 of the said section 33 is amended by 1961-62, c. 60, s. 33, striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister" in the third line and inserting in lieu thereof "Provincial Minister".

21.—(1) Subsection 1 of section 34 of *The Income Tax Act*, 1961-62, c. 60, s. 34, 1961-62, is amended by striking out "Treasurer" in the first subs. 1, amended line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 2,
amended

(2) Subsection 2 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 3,
amended

(3) Subsection 3 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "Treasury Department" in the fifth line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 34,
subs. 4,
amended

(4) Subsection 4 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 34,
subs. 5,
amended

(5) Subsection 5 of the said section 34 is amended by striking out "Treasury Department" in the fourth line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 7,
amended

(6) Subsection 7 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 36,
amended

22. Section 36 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the fifth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 42,
subs. 2
(1962-63,
c. 61, s. 5),
amended

23. Subsection 2 of section 42 of *The Income Tax Act, 1961-62*, as re-enacted by section 5 of *The Income Tax Amendment Act, 1962-63*, is amended by striking out "Treasurer" in the third line and in the fifth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 1,
amended

24.—(1) Subsection 1 of section 45 of *The Income Tax Act, 1961-62*, as re-enacted by section 6 of *The Income Tax Amendment Act, 1962-63*, is amended by striking out "Treasury Department" in the second line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the fourth line, in the eighth line and in the tenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 3,
amended

(2) Subsection 3 of the said section 45 is amended by striking out "Treasurer" in the sixth line and in the eighth line and inserting in lieu thereof in each instance "Provincial Minister".

(3) Subsection 4 of the said section 45 is amended by striking out "Treasury Department" in the fourth line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 4,
amended

(4) Subsection 5 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 5,
amended

(5) Subsection 6 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 6,
amended

(6) Subsection 7 of the said section 45 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 7,
amended

(7) Subsection 8 of the said section 45 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 8,
amended

(8) Subsection 9 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 9,
amended

(9) Subsection 11 of the said section 45 is amended by striking out "Treasurer" in the sixth line, in the eighth line, in the tenth line and in the twelfth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 11,
amended

(10) Subsection 12 of the said section 45 is amended by striking out "Treasurer" in the seventh line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 12,
amended

(11) Subsection 13 of the said section 45 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 13,
amended

(12) Subsection 14 of the said section 45 is amended by striking out "Treasurer" in the second line, in the third line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 14,
amended

(13) Subclause i of clause b of subsection 15 of the said section 45 is amended by striking out "Treasurer" and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 15, cl.
b, subcl. i,
amended

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 17,
amended

(14) Subsection 17 of the said section 45 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 18,
amended

(15) Subsection 18 of the said section 45 is amended by striking out "Treasurer" in the sixth line and in the ninth line and inserting in lieu thereof in each instance "Provincial Minister" and by striking out "Treasury Department" in the ninth and tenth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 46,
subs. 3,
amended

25. Subsection 3 of section 46 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the second line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

Commence-
ment

26. This Act comes into force on the day it receives Royal Assent.

Short title

27. This Act may be cited as *The Income Tax Amendment Act, 1970*.

An Act to amend
The Income Tax Act, 1961-62

1st Reading

April 6th, 1970

2nd Reading

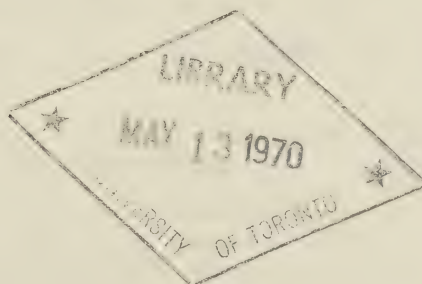
3rd Reading

MR. WHITE

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Income Tax Act, 1961-62

MR. WHITE



An Act to amend The Income Tax Act, 1961-62

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 7 of subsection 1 of section 1 of *The Income Tax Act, 1961-62* is amended by striking out “Deputy Provincial Treasurer” in the first and second lines and inserting in lieu thereof “Deputy Minister of Revenue”, so that the paragraph shall read as follows: 1961-62,
c. 60, s. 1,
subs. 1,
par. 7
amended

7. “deputy head” means the Deputy Minister of Revenue, or, where a collection agreement is entered into, means the Deputy Minister of National Revenue for Taxation.

(2) Paragraph 20 of subsection 1 of the said section 1 is amended by striking out “Treasurer” in the third line and inserting in lieu thereof “Provincial Minister”. 1961-62,
c. 60, s. 1,
subs. 1,
par. 20,
amended

(3) Subsection 1 of the said section 1, as amended by section 1 of *The Income Tax Amendment Act, 1961-62* and section 1 of *The Income Tax Amendment Act, 1962-63*, is further amended by adding thereto the following paragraph: 1961-62,
c. 60, s. 1,
subs. 1,
amended

21a. “Provincial Minister” means the Minister of Revenue.

(4) Paragraph 22 of subsection 1 of the said section 1 is repealed and the following substituted therefor: 1961-62,
c. 60, s. 1,
subs. 1,
par. 22,
re-enacted

22. “Receiver General for Canada” means the Receiver General for Canada, but in any provision of the Federal Act that is incorporated by reference in this Act, unless a collection agreement is entered into, a reference to the Receiver General for Canada shall be read and construed for the purposes of this Act as a reference to the Treasurer.

(5) Paragraph 27 of subsection 1 of the said section 1 is repealed and the following substituted therefor: 1961-62,
c. 60, s. 1,
subs. 1,
par. 27,
re-enacted

27. "Treasurer" means the Treasurer of Ontario and Minister of Economics, or where a collection agreement is entered into, means,

i. in relation to the remittance of any amount as or on account of tax payable under this Act, the Receiver General for Canada, and

ii. in relation to any other matter, the Minister.

1961-62,
c. 60, s. 4a
(1964, c. 43,
s. 1), subs. 5,
amended

2. Subsection 5 of section 4a of *The Income Tax Act*, 1961-62, as enacted by section 1 of *The Income Tax Amendment Act*, 1964, is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 6,
subs. 1,
amended

3.—(1) Subsection 1 of section 6 of *The Income Tax Act*, 1961-62 is amended by striking out "Treasurer" in the third line and in the seventeenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 6,
subs. 2,
amended

(2) Subsection 2 of the said section 6 is amended by striking out "Treasurer" in the fourth line and in the sixth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 1,
amended

4.—(1) Subsection 1 of section 8 of *The Income Tax Act*, 1961-62 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 2,
amended

(2) Subsection 2 of the said section 8 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 4,
amended

(3) Subsection 4 of the said section 8 is amended by striking out "Treasurer" in the first line and in the tenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 6,
amended

(4) Subsection 6 of the said section 8 is amended by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 8,
subs. 7,
amended

(5) Subsection 7 of the said section 6 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 12,
subs. 2,
amended

5. Subsection 2 of section 12 of *The Income Tax Act*, 1961-62 is amended by striking out "Treasurer" in the first line and in the second line and inserting in lieu thereof in each instance "Provincial Minister".

6. Subsection 6 of section 14 of *The Income Tax Act*, 1961-62, c. 60, s. 14, 1961-62 is amended by striking out "Treasurer" in the fifth line and in the eleventh line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 6, amended

7. Subsection 3 of section 15 of *The Income Tax Act*, 1961-62, c. 60, s. 15, 1961-62 is amended by striking out "Treasurer" in the third line and in the eighth line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 3, amended

8.—(1) Subsection 1 of section 17 of *The Income Tax Act*, 1961-62, c. 60, s. 17, 1961-62 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".
subs. 1, amended

(2) Subsection 2 of the said section 17 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".
c. 60, s. 17, subs. 2, amended

(3) Subsection 4 of the said section 17 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 17, subs. 4, amended

9.—(1) Subsection 1 of section 18 of *The Income Tax Act*, 1961-62, c. 60, s. 18, 1961-62 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".
subs. 1, amended

(2) Subsection 2 of the said section 18 is amended by striking out "deputy head" in the second and third lines and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 2, amended

(3) Subsection 3 of the said section 18 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 3, amended

(4) Subsection 4 of the said section 18 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".
1961-62, c. 60, s. 18, subs. 4, amended

(5) The said section 18 is amended by adding thereto the following subsection:
1961-62, c. 60, s. 18, amended

(5) The Provincial Minister may accept a notice of objection under this section notwithstanding that it was not served in duplicate or in the manner required by subsection 2.
Acceptance of notice

10.—(1) Subsection 1 of section 19 of *The Income Tax Act*, 1961-62, c. 60, s. 19, 1961-62 is amended by striking out "Treasurer" in the fifth line, in the eighth line and in the fourteenth line and inserting in lieu thereof in each instance "Provincial Minister".
subs. 1, amended

1961-62,
c. 60, s. 19,
subs. 3,
amended

(2) Subsection 3 of the said section 19 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 19,
subs. 4,
amended

(3) Subsection 4 of the said section 19 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "deputy head" in the second and third lines and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 19,
subs. 6,
amended

(4) Subsection 6 of the said section 19 is amended by striking out "Treasurer" in the fourth line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 20,
subs. 1,
amended

11. Subsection 1 of section 20 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 21,
subs. 3, cl. c,
subcl. iv,
amended

12.—(1) Subclause iv of clause c of subsection 3 of section 21 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 21,
subs. 4,
amended

(2) Subsection 4 of the said section 21 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 1,
re-enacted

13.—(1) Subsection 1 of section 25 of *The Income Tax Act, 1961-62* is repealed and the following substituted therefor:

Administra-
tion of Act

(1) The Provincial Minister shall administer and enforce this Act and control and supervise all persons employed to carry out or enforce this Act and the Deputy Minister of Revenue may exercise all the powers and perform the duties of the Provincial Minister under this Act.

1961-62,
c. 60, s. 25,
subs. 2,
amended

(2) Subsection 2 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 3,
amended

(3) Subsection 3 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 25,
subs. 4,
cl. a,
amended

(4) Clause a of subsection 4 of the said section 25 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

14. Subsection 1 of section 28 of *The Income Tax Act*, 1961-62, c. 60, s. 28, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the third line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

15. Section 28a of *The Income Tax Act*, 1961-62, as enacted by section 4 of *The Income Tax Amendment Act*, 1962-63, c. 61, s. 4, amended 1961-62, c. 60, s. 28a, (1962-63, c. 61, s. 4), is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

16.—(1) Subsection 1 of section 29 of *The Income Tax Act*, 1961-62, c. 60, s. 29, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 3 of the said section 29 is amended by striking out "Treasurer" in the first line and in the ninth line and inserting in lieu thereof in each instance "Provincial Minister". 1961-62, c. 60, s. 29, subs. 3, amended

17. Subsection 1 of section 30 of *The Income Tax Act*, 1961-62, c. 60, s. 30, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".

18.—(1) Subsection 1 of section 31 of *The Income Tax Act*, 1961-62, c. 60, s. 31, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 2 of the said section 31 is amended by striking out "Treasurer" in the second and third lines and inserting in lieu thereof "Provincial Minister". 1961-62, c. 60, s. 31, subs. 2, amended

19. Subsection 8 of section 32 of *The Income Tax Act*, 1961-62, c. 60, s. 32, subs. 8, amended 1961-62, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

20.—(1) Subsection 1 of section 33 of *The Income Tax Act*, 1961-62, c. 60, s. 33, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the seventh line and inserting in lieu thereof "Provincial Minister".

(2) Subsection 2 of the said section 33 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister". 1961-62, c. 60, s. 33, subs. 2, amended

(3) Subsection 3 of the said section 33 is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Provincial Minister". 1961-62, c. 60, s. 33, subs. 3, amended

21.—(1) Subsection 1 of section 34 of *The Income Tax Act*, 1961-62, c. 60, s. 34, subs. 1, amended 1961-62, is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 2,
amended

(2) Subsection 2 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 3,
amended

(3) Subsection 3 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "Treasury Department" in the fifth line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 34,
subs. 4,
amended

(4) Subsection 4 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister" and by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 34,
subs. 5,
amended

(5) Subsection 5 of the said section 34 is amended by striking out "Treasury Department" in the fourth line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 34,
subs. 7,
amended

(6) Subsection 7 of the said section 34 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 36,
amended

22. Section 36 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the fifth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 42,
subs. 2
(1962-63,
c. 61, s. 5),
amended

23. Subsection 2 of section 42 of *The Income Tax Act, 1961-62*, as re-enacted by section 5 of *The Income Tax Amendment Act, 1962-63*, is amended by striking out "Treasurer" in the third line and in the fifth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 1,
amended

24.—(1) Subsection 1 of section 45 of *The Income Tax Act, 1961-62*, as re-enacted by section 6 of *The Income Tax Amendment Act, 1962-63*, is amended by striking out "Treasury Department" in the second line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the fourth line, in the eighth line and in the tenth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 3,
amended

(2) Subsection 3 of the said section 45 is amended by striking out "Treasurer" in the sixth line and in the eighth line and inserting in lieu thereof in each instance "Provincial Minister".

(3) Subsection 4 of the said section 45 is amended by striking out "Treasury Department" in the fourth line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 4,
amended

(4) Subsection 5 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 5,
amended

(5) Subsection 6 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 6,
amended

(6) Subsection 7 of the said section 45 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 7,
amended

(7) Subsection 8 of the said section 45 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 8,
amended

(8) Subsection 9 of the said section 45 is amended by striking out "Treasury Department" in the third and fourth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 9,
amended

(9) Subsection 11 of the said section 45 is amended by striking out "Treasurer" in the sixth line, in the eighth line, in the tenth line and in the twelfth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 11,
amended

(10) Subsection 12 of the said section 45 is amended by striking out "Treasurer" in the seventh line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 12,
amended

(11) Subsection 13 of the said section 45 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 13,
amended

(12) Subsection 14 of the said section 45 is amended by striking out "Treasurer" in the second line, in the third line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 14,
amended

(13) Subclause i of clause b of subsection 15 of the said section 45 is amended by striking out "Treasurer" and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 15, cl.
b, subcl. i,
amended

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 17,
amended

(14) Subsection 17 of the said section 45 is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Provincial Minister".

1961-62,
c. 60, s. 45
(1962-63,
c. 61, s. 6),
subs. 18,
amended

(15) Subsection 18 of the said section 45 is amended by striking out "Treasurer" in the sixth line and in the ninth line and inserting in lieu thereof in each instance "Provincial Minister" and by striking out "Treasury Department" in the ninth and tenth lines and inserting in lieu thereof "Department of Revenue".

1961-62,
c. 60, s. 46,
subs. 3,
amended

25. Subsection 3 of section 46 of *The Income Tax Act, 1961-62* is amended by striking out "Treasurer" in the second line and in the fourth line and inserting in lieu thereof in each instance "Provincial Minister".

Commence-
ment

26. This Act comes into force on the day it receives Royal Assent.

Short title

27. This Act may be cited as *The Income Tax Amendment Act, 1970*.

An Act to amend
The Income Tax Act, 1961-62

1st Reading

April 6th, 1970

2nd Reading

April 14th, 1970

3rd Reading

April 22nd, 1970

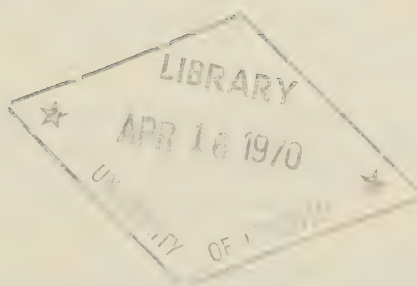
MR. WHITE

BILL 51

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Race Tracks Tax Act

MR. WHITE



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

The administration of *The Race Tracks Tax Act* was transferred to the Minister of Revenue by *The Department of Revenue Act, 1968*. The amendments contained in this Bill, unless otherwise indicated, reflect this organizational change in that the responsibilities and duties of the Treasurer of Ontario are transferred to the Minister of Revenue. All moneys payable to the Consolidated Revenue Fund under this Act remain payable to the Treasurer of Ontario.

SECTION 2. Subsection 4. Section 2 of the Act was repealed in 1968. The reference thereto is therefore repealed.

BILL 51

1970

An Act to amend The Race Tracks Tax Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Race Tracks Tax Act*, as enacted by section 1 of *The Race Tracks Tax Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 341, s. 1, cl. *a* (1964, c. 97, s. 1), re-enacted

(a) "Minister" means the Minister of Revenue.

2.—(1) Subsection 1 of section 4 of *The Race Tracks Tax Act*, as re-enacted by section 3 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Comptroller" in the fourth line and in the seventeenth line and inserting in lieu thereof in each instance "Minister" and by striking out "Treasurer" in the sixth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 1 (1964, c. 97, s. 3), amended

(2) Subsection 2 of the said section 4 is amended by striking out "Treasurer" in the ninth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 2, amended

(3) Subsection 3 of the said section 4 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 3, amended

(4) Subsection 5 of the said section 4 is amended by striking out "in the payment of the tax imposed by section 2, or" in the first and second lines and by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 5, amended

3. Section 5 of *The Race Tracks Tax Act* is amended by striking out "Treasurer" in the sixteenth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 5, amended

R.S.O. 1960,
c. 341, s. 6,
subs. 1,
re-enacted

4.—(1) Subsection 1 of section 6 of *The Race Tracks Tax Act*, as amended by section 4 of *The Race Tracks Tax Amendment Act, 1964*, is repealed and the following substituted therefor:

Obtaining
information

(1) For the purpose of obtaining any information that he deems necessary for the purposes of this Act, the Minister may,

(a) demand from any person such information as is indicated in a letter delivered or sent by prepaid mail to such person and every such person shall furnish to the Minister all such information that he has in his possession or under his control, in writing, within 30 days of the delivery or sending of such letter; or

(b) appoint any officer of the Department of Revenue to make such inquiry as is necessary to obtain such information and for the purpose of such inquiry such officer has all the power and authority that may be conferred upon a commissioner under *The Public Inquiries Act*.

R.S.O. 1960,
c. 323

R.S.O. 1960,
c. 341, s. 6,
subs. 2,
amended

(2) Subsection 2 of the said section 6 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister".

R.S.O. 1960,
c. 341, s. 7,
subs. 1,
amended

5.—(1) Subsection 1 of section 7 of *The Race Tracks Tax Act* is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister", and by striking out "and shall be tried without a jury" in the sixth and seventh lines.

R.S.O. 1960,
c. 341, s. 7,
subs. 3
(1964, c. 97,
s. 5),
amended

(2) Subsection 3 of the said section 7, as enacted by section 5 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".

R.S.O. 1960,
c. 341, s. 7a,
(1964, c. 97,
s. 6),
amended

6. Section 7a of *The Race Tracks Tax Act*, as enacted by section 6 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "of 6 per cent per annum" in the second and third lines and inserting in lieu thereof "prescribed by the regulations", so that the section shall read as follows:

Interest

7a. Any amount payable or to be remitted to the Treasurer under this Act bears interest at the rate prescribed by the regulations from the day on which such amount should have been paid or remitted to the Treasurer to the day of payment.

SECTION 5—Subsection 1. Subsection 1 of section 7 of the Act permits the Minister to recover taxes and penalties by an action in any court tried without a jury. The amendment will allow the court to try the action with or without a jury.

SECTION 6. The amendment provides that the rate of interest on unpaid tax shall be prescribed by regulation.

7. Section 7b of *The Race Tracks Tax Act*, as enacted by R.S.O. 1960, c. 341, s. 7b, section 6 of *The Race Tracks Tax Amendment Act, 1964*, (1964, c. 97, s. 6), is amended by striking out "Comptroller" in the first line amended and in the third line and inserting in lieu thereof in each instance "Minister".

8.—(1) Subsection 1 of section 7c of *The Race Tracks Tax Act*, as enacted by section 6 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Comptroller" amended (1964, c. 97, s. 6), subs. 1, in the first line and inserting in lieu thereof "Minister".

(2) Subsection 2 of the said section 7c is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 7c, (1964, c. 97, s. 6), subs. 2, amended

9.—(1) Clause a of section 8 of *The Race Tracks Tax Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 341, s. 8, cl. a, re-enacted

(a) authorizing or requiring the Deputy Minister of Revenue or any other officer of the Department of Revenue to exercise any power or impose any duty conferred or imposed upon the Minister by this Act.

(2) The said section 8 is amended by adding thereto the following clause: R.S.O. 1960, c. 341, s. 8, amended

(f) prescribing the rate of interest payable on amounts payable to or to be remitted to the Treasurer under this Act.

10.—(1) This Act, except section 6, comes into force on the day it receives Royal Assent. Commence-ment

(2) Section 6 comes into force on the 1st day of June, 1970. Idem

11. This Act may be cited as *The Race Tracks Tax Amendment Act, 1970*. Short title

Bill 31
An Act to amend
The Race Tracks Tax Act

1st Reading

April 6th, 1970

2nd Reading

3rd Reading

MR. WHITE

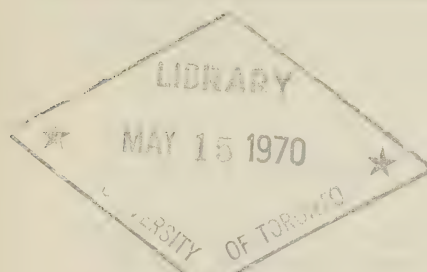
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BILL 51

Government
Publications

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Race Tracks Tax Act

MR. WHITE

BILL 51

1970

An Act to amend The Race Tracks Tax Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Race Tracks Tax Act*, as enacted by section 1 of *The Race Tracks Tax Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960, c. 341, s. 1, cl. *a* (1964, c. 97, s. 1), re-enacted

(a) "Minister" means the Minister of Revenue.

2.—(1) Subsection 1 of section 4 of *The Race Tracks Tax Act*, as re-enacted by section 3 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Comptroller" in the fourth line and in the seventeenth line and inserting in lieu thereof in each instance "Minister" and by striking out "Treasurer" in the sixth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 1 (1964, c. 97, s. 3), amended

(2) Subsection 2 of the said section 4 is amended by striking out "Treasurer" in the ninth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 2, amended

(3) Subsection 3 of the said section 4 is amended by striking out "Treasury Department" in the first line and inserting in lieu thereof "Department of Revenue" and by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 3, amended

(4) Subsection 5 of the said section 4 is amended by striking out "in the payment of the tax imposed by section 2, or" in the first and second lines and by striking out "Treasurer" in the eighth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 4, subs. 5, amended

3. Section 5 of *The Race Tracks Tax Act* is amended by striking out "Treasurer" in the sixteenth line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 5, amended

R.S.O. 1960,
c. 341, s. 6,
subs. 1,
re-enacted

4.—(1) Subsection 1 of section 6 of *The Race Tracks Tax Act*, as amended by section 4 of *The Race Tracks Tax Amendment Act, 1964*, is repealed and the following substituted therefor:

Obtaining
information

(1) For the purpose of obtaining any information that he deems necessary for the purposes of this Act, the Minister may,

(a) demand from any person such information as is indicated in a letter delivered or sent by prepaid mail to such person and every such person shall furnish to the Minister all such information that he has in his possession or under his control, in writing, within 30 days of the delivery or sending of such letter; or

(b) appoint any officer of the Department of Revenue to make such inquiry as is necessary to obtain such information and for the purpose of such inquiry such officer has all the power and authority that may be conferred upon a commissioner under *The Public Inquiries Act*.

R.S.O. 1960,
c. 323

R.S.O. 1960,
c. 341, s. 6,
subs. 2,
amended

(2) Subsection 2 of the said section 6 is amended by striking out "Treasurer" in the second line and inserting in lieu thereof "Minister".

R.S.O. 1960,
c. 341, s. 7,
subs. 1,
amended

5.—(1) Subsection 1 of section 7 of *The Race Tracks Tax Act* is amended by striking out "Treasurer" in the fifth line and inserting in lieu thereof "Minister", and by striking out "and shall be tried without a jury" in the sixth and seventh lines.

R.S.O. 1960,
c. 341, s. 7,
subs. 3
(1964, c. 97,
s. 5),
amended

(2) Subsection 3 of the said section 7, as enacted by section 5 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Treasurer" in the third line and inserting in lieu thereof "Minister".

R.S.O. 1960,
c. 341, s. 7a,
(1964, c. 97,
s. 6),
amended

6. Section 7a of *The Race Tracks Tax Act*, as enacted by section 6 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "of 6 per cent per annum" in the second and third lines and inserting in lieu thereof "prescribed by the regulations", so that the section shall read as follows:

Interest

7a. Any amount payable or to be remitted to the Treasurer under this Act bears interest at the rate prescribed by the regulations from the day on which such amount should have been paid or remitted to the Treasurer to the day of payment.

7. Section 7*b* of *The Race Tracks Tax Act*, as enacted by R.S.O. 1960, c. 341, s. 7*b*, (1964, c. 97, s. 6), section 6 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Comptroller" in the first line amended and in the third line and inserting in lieu thereof in each instance "Minister".

8.—(1) Subsection 1 of section 7*c* of *The Race Tracks Tax Act*, as enacted by section 6 of *The Race Tracks Tax Amendment Act, 1964*, is amended by striking out "Comptroller" R.S.O. 1960, c. 341, s. 7*c*, (1964, c. 97, s. 6), subs. 1, in the first line and inserting in lieu thereof "Minister". amended

(2) Subsection 2 of the said section 7*c* is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister". R.S.O. 1960, c. 341, s. 7*c*, (1964, c. 97, s. 6), subs. 2, amended

9.—(1) Clause *a* of section 8 of *The Race Tracks Tax Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 341, s. 8, cl. *a*, re-enacted

(*a*) authorizing or requiring the Deputy Minister of Revenue or any other officer of the Department of Revenue to exercise any power or impose any duty conferred or imposed upon the Minister by this Act.

(2) The said section 8 is amended by adding thereto the following clause: R.S.O. 1960, c. 341, s. 8, amended

(*f*) prescribing the rate of interest payable on amounts payable to or to be remitted to the Treasurer under this Act.

10.—(1) This Act, except section 6, comes into force on the day it receives Royal Assent. Commence-ment

(2) Section 6 comes into force on the 1st day of June, 1970. Idem

11. This Act may be cited as *The Race Tracks Tax Amendment Act, 1970*. Short title

An Act to amend
The Race Tracks Tax Act

1st Reading

April 6th, 1970

2nd Reading

April 14th, 1970

3rd Reading

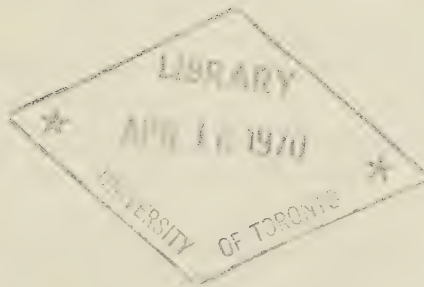
April 22nd, 1970

MR. WHITE

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Tobacco Tax Act, 1965

MR. WHITE



EXPLANATORY NOTES

Unless otherwise indicated, the amendments contained in this Bill reflect the organizational change in that the responsibilities and duties of the Treasurer of Ontario were transferred to the Minister of Revenue by *The Department of Revenue Act, 1968*.

SECTION 3. Section 4 is re-enacted to give the Minister the responsibility to suspend or cancel a wholesale dealer's permit. Previously the Comptroller of Revenue exercised this power. There is no change in concept.

BILL 52

1970

An Act to amend The Tobacco Tax Act, 1965

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Tobacco Tax Act, 1965* 1965, c. 130, s. 1, cl. *a*, repealed is repealed.

(2) The said section 1 is amended by adding thereto the following clause: 1965, c. 130, s. 1, amended

(*ca*) "Minister" means the Minister of Revenue.

2. Subsection 2 of section 2 of *The Tobacco Tax Act, 1965* 1965, c. 130, s. 2, subs. 2, amended is amended by striking out "Treasurer" in the second line and in the fourth line and inserting in lieu thereof in each instance "Minister".

3. Section 4 of *The Tobacco Tax Act, 1965* is repealed and the following substituted therefor: 1965, c. 130, s. 4, re-enacted

4. The Minister may suspend or cancel the permit of any wholesale dealer who, Suspension or cancellation of wholesale dealer's permit

(*a*) refuses or neglects to account for and pay as herein required moneys received by him as proceeds of the tax; or

(*b*) refuses or neglects to furnish a surety bond when so required under the regulations,

but, before a suspension or cancellation is made, the wholesale dealer shall be afforded an opportunity to appear before the Minister to show cause why the permit should not be suspended or cancelled, as the case may be.

4. Section 5 of *The Tobacco Tax Act, 1965* is amended by 1965, c. 130, s. 5, amended striking out "Comptroller" in the ninth line and in the eleventh line and inserting in lieu thereof in each instance "Minister".

1965, c. 130,
amended

5. *The Tobacco Tax Act, 1965* is amended by adding thereto the following section:

Sales of
tobacco
under
R.S.O. 1960,
c. 43

5a.—(1) No wholesale dealer shall dispose of his stock through a sale in bulk as defined in *The Bulk Sales Act* without first obtaining a certificate in duplicate from the Minister that all taxes collectable or payable under this Act by such wholesale dealer have been paid.

Idem

(2) Every person purchasing tobacco stock through a sale in bulk as defined in *The Bulk Sales Act* shall obtain from the wholesale dealer selling such stock the duplicate copy of the certificate furnished under subsection 1, and if he fails to do so, he is responsible for payment to the Treasurer of all taxes collectable or payable under this Act by the wholesale dealer thus disposing of his tobacco stock through a sale in bulk.

1965, c. 130,
s. 7, subs. 2,
re-enacted

6. Subsection 2 of section 7 of *The Tobacco Tax Act, 1965* is repealed and the following substituted therefor:

Default in
payment
over to
Treasurer

(2) If any person who has collected any tax imposed by this Act fails to pay it over to the Treasurer at the time and in the manner prescribed by the regulations or by agreement made under the regulations, as the case may be, the amount thereof becomes a debt due to Her Majesty in right of Ontario and is a lien upon the property in Ontario of the person in default and, subject to the *Bankruptcy Act* (Canada), has priority over all other claims of other persons, and it shall bear interest at the rate prescribed by the regulations from the day the amount was due until it is paid.

R.S.C. 1952,
c. 14

1965,
c. 130, s. 8,
subs. 1,
amended

7.—(1) Subsection 1 of section 8 of *The Tobacco Tax Act, 1965* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

1965,
c. 130, s. 8,
subs. 2,
amended

(2) Subsection 2 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

1965,
c. 130, s. 8,
subs. 3,
amended

(3) Subsection 3 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

1965, c. 130,
s. 8, subs. 4,
amended

(4) Subsection 4 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in

SECTION 5. The new section will require a wholesale dealer who disposes of his stock under *The Bulk Sales Act* to obtain a certificate from the Minister that all taxes payable or collectable by such dealer have been paid.

SECTION 6. The re-enactment provides that the Crown shall be a preferred creditor rather than a secured creditor in a bankruptcy and further that the rate of interest on unpaid tax shall be prescribed by regulation.

SECTION 7—Subsection 7. The new subsection permits the Minister to require a dealer to make an inventory of his tobacco stock at any time.

SECTION 10. Section 15 provided for funds for the purposes of the Act during the 1965-66 fiscal year. As funds for this purpose are now appropriated by the Legislature, this section is no longer required.

SECTION 11. The Lieutenant Governor in Council is empowered to make regulations in relation to the matters set out in the clauses added by subsection 1.

lieu thereof "Minister" and by striking out "Office of the Comptroller of Revenue" in the sixth line and inserting in lieu thereof "Department of Revenue".

(5) Subsection 5 of the said section 8 is amended by ^{1965, c. 130, s. 8, subs. 5,} striking out "Comptroller" in the first line and inserting in ^{amended} lieu thereof "Minister".

(6) Subsection 6 of the said section 8 is amended by ^{1965, c. 130, s. 8, subs. 6,} striking out "Office of the Comptroller of Revenue" in the ^{amended} fourth line and inserting in lieu thereof "Department of Revenue" and by striking out "Comptroller" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Minister".

(7) The said section 8 is amended by adding thereto the ^{1965, c. 130, s. 8,} following subsection: ^{amended}

(8) The Minister at any time for any purpose related ^{Inventory report} to the administration or enforcement of this Act and the regulations may require a dealer to complete an inventory report showing all tobacco in his possession in respect of which the tax imposed by this Act has not been paid.

8. Subsection 1 of section 9 of *The Tobacco Tax Act, 1965* ^{1965, c. 130, s. 9, subs. 1,} is amended by striking out "Treasurer" in the first line and ^{amended} inserting in lieu thereof "Minister".

9. Subsection 2 of section 11 of *The Tobacco Tax Act, 1965* ^{1965, c. 130, s. 11, subs. 2,} is amended by striking out "Treasurer" in the first line and ^{amended} in the tenth line and inserting in lieu thereof in each instance "Minister".

10. Section 15 of *The Tobacco Tax Act, 1965* is repealed. ^{1965, c. 130, s. 15,} ^{repealed}

11.—(1) Section 16 of *The Tobacco Tax Act, 1965* is ^{1965, c. 130, s. 16,} amended by adding thereto the following clauses: ^{amended}

(ea) providing for the extension of time for making returns;

.

(ga) prescribing the rate of interest payable on amounts payable to or to be remitted to the Treasurer under this Act;

.

(la) authorizing or requiring the Deputy Minister or any other officer of the Department of Revenue to exercise any power or perform any duty conferred or imposed upon the Minister by this Act.

1965, c. 130,
s. 16, cl. g,
amended

(2) Clause g of the said section 16 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

Commence-
ment

12.—(1) This Act, except section 6, comes into force on the day it receives Royal Assent.

Idem

(2) Section 6 comes into force on the 1st day of June, 1970.

Short title

13. This Act may be cited as *The Tobacco Tax Amendment Act, 1970*.

An Act to amend
The Tobacco Tax Act, 1965

1st Reading

April 6th, 1970

2nd Reading

3rd Reading

MR. WHITE

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BILL 52

Government
Publications

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Tobacco Tax Act, 1965

MR. WHITE



BILL 52

1970

An Act to amend The Tobacco Tax Act, 1965

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Tobacco Tax Act, 1965* is repealed. 1965, c. 130,
s. 1, cl. *a*,
repealed

(2) The said section 1 is amended by adding thereto the following clause: 1965, c. 130,
s. 1,
amended

(*ca*) “Minister” means the Minister of Revenue.

2. Subsection 2 of section 2 of *The Tobacco Tax Act, 1965* is amended by striking out “Treasurer” in the second line and in the fourth line and inserting in lieu thereof in each instance “Minister”. 1965, c. 130,
s. 2, subs. 2,
amended

3. Section 4 of *The Tobacco Tax Act, 1965* is repealed and the following substituted therefor: 1965, c. 130,
s. 4,
re-enacted

4. The Minister may suspend or cancel the permit of any wholesale dealer who, Suspension
or cancella-
tion of
wholesale
dealer's
permit

(*a*) refuses or neglects to account for and pay as herein required moneys received by him as proceeds of the tax; or

(*b*) refuses or neglects to furnish a surety bond when so required under the regulations,

but, before a suspension or cancellation is made, the wholesale dealer shall be afforded an opportunity to appear before the Minister to show cause why the permit should not be suspended or cancelled, as the case may be.

4. Section 5 of *The Tobacco Tax Act, 1965* is amended by striking out “Comptroller” in the ninth line and in the eleventh line and inserting in lieu thereof in each instance “Minister”. 1965, c. 130,
s. 5,
amended

1965, c. 130,
amended

5. *The Tobacco Tax Act, 1965* is amended by adding thereto the following section:

Sales of
tobacco
under
R.S.O. 1960,
c. 43

5a.—(1) No wholesale dealer shall dispose of his stock through a sale in bulk as defined in *The Bulk Sales Act* without first obtaining a certificate in duplicate from the Minister that all taxes collectable or payable under this Act by such wholesale dealer have been paid.

Idem

(2) Every person purchasing tobacco stock through a sale in bulk as defined in *The Bulk Sales Act* shall obtain from the wholesale dealer selling such stock the duplicate copy of the certificate furnished under subsection 1, and if he fails to do so, he is responsible for payment to the Treasurer of all taxes collectable or payable under this Act by the wholesale dealer thus disposing of his tobacco stock through a sale in bulk.

1965, c. 130,
s. 7, subs. 2,
re-enacted

6. Subsection 2 of section 7 of *The Tobacco Tax Act, 1965* is repealed and the following substituted therefor:

Default in
payment
over to
Treasurer

(2) If any person who has collected any tax imposed by this Act fails to pay it over to the Treasurer at the time and in the manner prescribed by the regulations or by agreement made under the regulations, as the case may be, the amount thereof becomes a debt due to Her Majesty in right of Ontario and is a lien upon the property in Ontario of the person in default and, subject to the *Bankruptcy Act* (Canada), has priority over all other claims of other persons, and it shall bear interest at the rate prescribed by the regulations from the day the amount was due until it is paid.

R.S.C. 1952,
c. 14

1965,
c. 130, s. 8,
subs. 1,
amended

7.—(1) Subsection 1 of section 8 of *The Tobacco Tax Act, 1965* is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

1965,
c. 130, s. 8,
subs. 2,
amended

(2) Subsection 2 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

1965,
c. 130, s. 8,
subs. 3,
amended

(3) Subsection 3 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

1965, c. 130,
s. 8, subs. 4,
amended

(4) Subsection 4 of the said section 8 is amended by striking out "Comptroller" in the first line and inserting in

lieu thereof "Minister" and by striking out "Office of the Comptroller of Revenue" in the sixth line and inserting in lieu thereof "Department of Revenue".

(5) Subsection 5 of the said section 8 is amended by ^{1965, c. 130, s. 8, subs. 5, amended} striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

(6) Subsection 6 of the said section 8 is amended by ^{1965, c. 130, s. 8, subs. 6, amended} striking out "Office of the Comptroller of Revenue" in the fourth line and inserting in lieu thereof "Department of Revenue" and by striking out "Comptroller" in the sixth line and in the seventh line and inserting in lieu thereof in each instance "Minister".

(7) The said section 8 is amended by adding thereto the ^{1965, c. 130, s. 8, amended} following subsection:

(8) The Minister at any time for any purpose related ^{Inventory report} to the administration or enforcement of this Act and the regulations may require a dealer to complete an inventory report showing all tobacco in his possession in respect of which the tax imposed by this Act has not been paid.

8. Subsection 1 of section 9 of *The Tobacco Tax Act, 1965* ^{1965, c. 130, s. 9, subs. 1, amended} is amended by striking out "Treasurer" in the first line and inserting in lieu thereof "Minister".

9. Subsection 2 of section 11 of *The Tobacco Tax Act, 1965* ^{1965, c. 130, s. 11, subs. 2, amended} is amended by striking out "Treasurer" in the first line and in the tenth line and inserting in lieu thereof in each instance "Minister".

10. Section 15 of *The Tobacco Tax Act, 1965* is repealed. ^{1965, c. 130, s. 15, repealed}

11.—(1) Section 16 of *The Tobacco Tax Act, 1965* is ^{1965, c. 130, s. 16, amended} amended by adding thereto the following clauses:

(ea) providing for the extension of time for making returns;

.

(ga) prescribing the rate of interest payable on amounts payable to or to be remitted to the Treasurer under this Act;

.

(la) authorizing or requiring the Deputy Minister or any other officer of the Department of Revenue to exercise any power or perform any duty conferred or imposed upon the Minister by this Act.

1965, c. 130,
s. 16, cl. g,
amended

(2) Clause g of the said section 16 is amended by striking out "Comptroller" in the first line and inserting in lieu thereof "Minister".

Commence-
ment

12.—(1) This Act, except section 6, comes into force on the day it receives Royal Assent.

Idem

(2) Section 6 comes into force on the 1st day of June, 1970.

Short title

13. This Act may be cited as *The Tobacco Tax Amendment Act, 1970*.

An Act to amend
The Tobacco Tax Act, 1965

1st Reading

April 6th, 1970

2nd Reading

April 14th, 1970

3rd Reading

April 22nd, 1970

MR. WHITE

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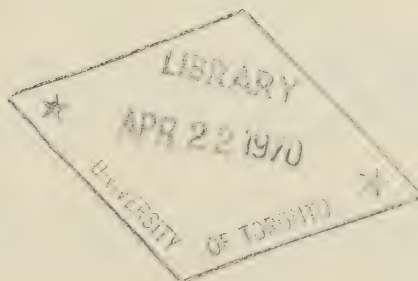
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BILL 53

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to provide for the
Reform of the Governing Bodies of Universities**

Mr. REID (Scarborough East)



EXPLANATORY NOTE

The Bill reconstructs the governing bodies of universities, replacing boards of governors and senates with one governing council having democratic representation of faculty members, alumni, (who would include the public community) and the administrative staff, undergraduate and post-graduate students, and including other appointed and *ex officio* members representing governmental links.

An Act to provide for the Reform of the Governing Bodies of Universities

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "part-time student" means a student enrolled in a university for part-time attendance in a course leading to a degree;
- (b) "university" means a university established by an Act of the Legislature.

2. Notwithstanding any general or special Act, the governing body of every university shall be known as the Governing Council.

Governing
Councils
established

3.—(1) The Governing Council shall consist of not fewer than forty-three and not more than fifty-one members as follows:

Composi-
tion of
Council

- 1. Four members who shall be appointed by the Lieutenant Governor in Council during pleasure.
- 2. The member of the Legislature and the member of the House of Commons of Canada in whose riding the main administrative structures of the university are situate, who shall be *ex officio* members.
- 3. The head of the council of the local municipality in which the main administrative structures of the university are situate, or a person designated by him.
- 4. Eleven or twelve members who are professors or associate professors of the university who shall be elected every four years by the professors and associate professors.

5. Eleven or twelve members who are full-time members of the faculty of the university, other than professors and associate professors, who shall be elected every four years by the members of the faculty who are full-time employees other than professors and associate professors.
6. Six to eight members who are undergraduate, post-graduate and part-time students of the university each elected by the undergraduate, post-graduate and part-time students, respectively, for a term of one year and the number of members in each category shall be determined by the Governing Council as nearly as is practicable in the proportion of their enrolment in the university, except that the Governing Council may fix an equivalent of more than one part-time student to one undergraduate or post-graduate student for the purpose.
7. Five to seven members who shall be elected every four years by the graduates of the university.
8. One or two members who are full-time employees on the administrative staff of the university who shall be elected every four years by the full-time employees of the administrative staff.
9. The President of the university, who shall be an *ex officio* member, and one or two persons who shall be nominated by the President.

Determina-
tion of
number

(2) The Governing Council shall determine the numbers of members for the purposes of paragraphs 4, 5, 6, 7, 8 and 9 of subsection 1.

Student
elections

(3) The elections for each of the categories of the members referred to in paragraph 6 of subsection 1 shall be conducted at the expense of the university by the student organization containing the largest membership of that category of students enrolled in the university, and the records and facilities of the university shall be made available to the student organization conducting the election to the extent necessary to prepare voters' lists and conduct the elections.

Other
elections

(4) The Governing Council shall conduct the elections referred to in paragraphs 4, 5, 7 and 8 of subsection 1 and the ballot for the election referred to in paragraph 7 shall be taken by mail.

Vacancies

(5) An elected member who loses his eligibility for election while he is in office shall vacate his office, and where the office of an elected member becomes vacant for this or any

other reason before the expiration of his term, the remaining members elected by the same electors shall appoint a person who is eligible to be a candidate for election to the office to be a member for the remainder of the unexpired term.

4.—(1) All meetings of the Governing Council shall be open to the public, except that the Governing Council may, by resolution, exclude any persons other than members of the faculty, the administrative staff or the student body from a meeting. Public meetings

(2) All expenditures of or liabilities incurred by a university shall be authorized by the Governing Council at a meeting of the Council sitting as a whole. Authorization of existing expenditures

5.—(1) The board of governors and senate, or any corresponding body, of every university are dissolved. Dissolution of existing governing bodies

(2) All the powers and duties vested in the board of governors and senate, or any corresponding bodies, of each university are vested in the Governing Council established under this Act. Powers and duties of Council

6.—(1) The first elections referred to in subsection 1 of section 3 shall be conducted before the 1st day of November, 1970 by the board of governors of the university, or any corresponding body, and subject to subsection 2, the provisions of this Act applying to governing councils respecting the conduct of elections apply to the said board of governors for the purpose. First elections

(2) For the purposes of the first elections, the numbers of members referred to in paragraphs 4, 5, 6, 7 and 8 of subsection 1 of section 3 shall be either the minimum or the maximum number prescribed, as determined by the board of governors. Idem

7. Every university shall have a President appointed during pleasure by the Governing Council of the university. President

8.—(1) This Act, except sections 1, 2, 3, 4, 5 and 7, comes into force on the day it receives Royal Assent. Commencement

(2) Sections 1, 2, 3, 4, 5 and 7 come into force on the 1st day of November, 1970. Idem

9. This Act may be cited as *The Universities Act, 1970*. Short title

An Act to provide for the Reform
of the Governing Bodies of Universities

1st Reading

April 9th, 1970

2nd Reading

3rd Reading

Mr. REID (Scarborough East)

56
BILL 54

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Air Pollution Control Act, 1967

MR. MARTEL



EXPLANATORY NOTE

The amendments incorporate into the Act air pollutants that cause damage to soil.

BILL 54

1970

**An Act to amend
The Air Pollution Control Act, 1967**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *b* of section 1 of *The Air Pollution Control Act, 1967* is amended by inserting after "life" in the sixth line "or to soil", so that the clause shall read as follows: ^{1967, c. 2, s. 1, cl. b, amended}

- (*b*) "air pollution" means the presence in the outdoor atmosphere of any air contaminant or contaminants in quantities that may cause discomfort to or endanger the health or safety of persons, or that may cause injury or damage to property or to plant or animal life or to soil or that may interfere with visibility or the normal conduct of transport or business.

2. Subsection 1 of section 11 of *The Air Pollution Control Act, 1967* is amended by inserting after "stock" in the second line "or to soil", so that the subsection shall read as follows: ^{1967, c. 2, s. 11, subs. 1, amended}

- (1) Where a person complains that air pollution is causing or has caused injury or damage to live stock or to soil or to crops, trees or other vegetation which may result in economic loss to such person, he may, within fourteen days after the injury or damage becomes apparent, request the Minister to conduct an investigation. ^{Where air pollution causes damage to crops, live stock or soil}

3. This Act may be cited as *The Air Pollution Control Amendment Act, 1970*. ^{Short title}

An Act to amend
The Air Pollution Control Act, 1967

1st Reading

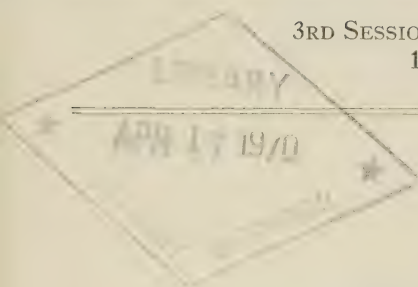
April 9th, 1970

2nd Reading

3rd Reading

MR. MARTEL

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970



An Act to amend The Damage by Fumes Arbitration Act

MR. MARTEL

EXPLANATORY NOTE

The amendment adds damage to soil by fumes as a damage that is arbitrable under the Act.

BILL 55

1970

An Act to amend The Damage by Fumes Arbitration Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Damage by Fumes Arbitration Act*, as amended by section 1 of *The Damage by Fumes Arbitration Amendment Act, 1968-69*, is further amended by inserting after "indirectly" in the first line "to soil or", so that the subsection shall read as follows:

R.S.O. 1960,
c. 86, s. 2,
subs. 1,
amended

- (1) Where damage is occasioned directly or indirectly to soil or to crops, trees or other vegetation by sulphur fumes arising from smelting, roasting, refining or otherwise treating ores or minerals, such damage may, subject to section 3, be determined by the arbitrator who has exclusive jurisdiction to determine the amount of such damage and to make an award.

Damage to
crops, etc.

2. This Act may be cited as *The Damage by Fumes Arbitration Amendment Act, 1970*.

Short title

An Act to amend
The Damage by Fumes Arbitration Act

1st Reading

April 9th, 1970

2nd Reading

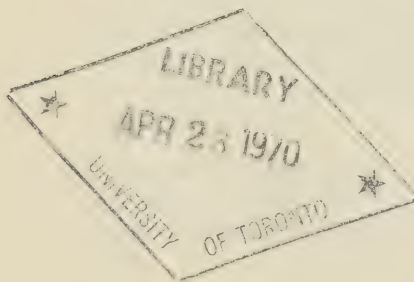
3rd Reading

MR. MARTEL

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Consumer Protection Act, 1966

MR. LAWRENCE (Carleton East)



EXPLANATORY NOTES

The Bill defines the status of unsolicited credit cards and unsolicited goods.

In the case of an unsolicited credit card, there is no obligation unless the credit arrangement is accepted in writing or the card is used.

In the case of unsolicited goods, there is no obligation to pay for them even if used.

BILL 56

1970

**An Act to amend
The Consumer Protection Act, 1966**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Consumer Protection Act, 1966* is amended by ^{1966, c. 23, amended} adding thereto the following section:

- 30a.—(1) In this section, “unsolicited goods” means ^{Interpre-}
personal property furnished to a person who did not ^{ta-}
request it, but does not include personal property that ^{tion}
the recipient knows or ought to know is intended for
another person, and a request shall not be implied
by inaction or the passing of time alone.
- (2) No action shall be brought by which to charge any ^{Credit}
person upon any arrangement for the extension of ^{arrangement}
credit evidenced by a credit card unless the person to
whom credit is to be extended requested or accepted
the credit arrangement and card in writing, and the
obtaining of credit by the person named in the credit
card shall be deemed to constitute such written
acceptance by him.
- (3) No action shall be brought by which to charge any ^{Use of}
person for payment in respect of unsolicited goods ^{unsolicited}
notwithstanding their use, misuse, loss, damage or ^{goods}
theft.
- (4) Except as provided in this section, the recipient of ^{Relief}
unsolicited goods or of a credit card that has not been ^{from legal}
requested or accepted in accordance with subsection ^{obligations}
2 has no legal obligation in respect of their use or
disposal.
- (5) This section applies in respect of credit cards and ^{Application}
unsolicited goods received after this section comes ^{of section}
into force.

Commence-
ment

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

3. This Act may be cited as *The Consumer Protection Amendment Act, 1970*.

An Act to amend
The Consumer Protection Act, 1966

1st Reading

April 10th, 1970

2nd Reading

3rd Reading

MR. LAWRENCE (Carleton East)

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Government
Publication

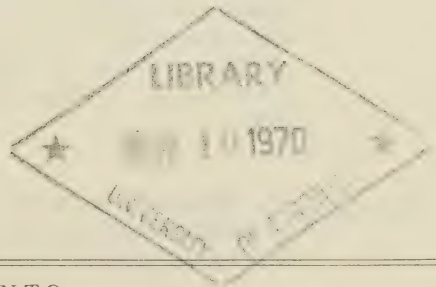
BILL 56

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Consumer Protection Act, 1966

MR. LAWRENCE (Carleton East)

(Reprinted as amended by the Committee of the Whole House)



TORONTO
PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTES

The Bill defines the status of unsolicited credit cards and unsolicited goods.

In the case of an unsolicited credit card, there is no obligation unless the credit arrangement is accepted in writing or the card is used.

In the case of unsolicited goods, there is no obligation to pay for them even if used.

BILL 56

1970

An Act to amend The Consumer Protection Act, 1966

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Consumer Protection Act, 1966* is amended by ^{1966, c. 23, amended} adding thereto the following section:

30a.—(1) In this section,

(a) “credit” means the advancing of money, goods or services to or on behalf of another for repayment at a later time, whether or not there is a cost of borrowing, and includes variable credit;

Interpre-
tation

(b) “unsolicited goods” means personal property furnished to a person who did not request it and a request shall not be inferred from inaction or the passing of time alone, but does not include,

(i) personal property that the recipient knows or ought to know is intended for another person, or

(ii) personal property supplied under a contract in writing to which the recipient is a party that provides for the periodic supply of personal property to the recipient without further solicitation.

(2) No action shall be brought by which to charge any person upon any arrangement for the extension of credit evidenced by a credit card unless the person to

Credit
arrangement

whom credit is to be extended requested or accepted the credit arrangement and card in writing, and the obtaining of credit by the person named in the credit card shall be deemed to constitute such written acceptance by him.

Use of
unsolicited
goods

- (3) No action shall be brought by which to charge any person for payment in respect of unsolicited goods notwithstanding their use, misuse, loss, damage or theft.

Relief
from legal
obligations

- (4) Except as provided in this section, the recipient of unsolicited goods or of a credit card that has not been requested or accepted in accordance with subsection 2 has no legal obligation in respect of their use or disposal.

Application
of section

- (5) This section applies in respect of credit cards and unsolicited goods received after this section comes into force.

Commence-
ment

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

3. This Act may be cited as *The Consumer Protection Amendment Act, 1970*.

An Act to amend
The Consumer Protection Act, 1966

1st Reading

April 10th, 1970

2nd Reading

October 21st, 1970

3rd Reading

MR. LAWRENCE (Carleton East)

*(Reprinted as amended by the
Committee of the Whole House)*

BILL 56

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend The Consumer Protection Act, 1966**

Mr. LAWRENCE (Carleton East)

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 56

1970

**An Act to amend
The Consumer Protection Act, 1966**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Consumer Protection Act, 1966* is amended by ^{1966, c. 23,} ^{amended} adding thereto the following section:

30a.—(1) In this section,

Interpre-
tation

(a) “credit” means the advancing of money, goods or services to or on behalf of another for repayment at a later time, whether or not there is a cost of borrowing, and includes variable credit;

(b) “unsolicited goods” means personal property furnished to a person who did not request it and a request shall not be inferred from inaction or the passing of time alone, but does not include,

(i) personal property that the recipient knows or ought to know is intended for another person, or

(ii) personal property supplied under a contract in writing to which the recipient is a party that provides for the periodic supply of personal property to the recipient without further solicitation.

(2) No action shall be brought by which to charge any ^{Credit} ^{arrangement} person upon any arrangement for the extension of credit evidenced by a credit card unless the person to

whom credit is to be extended requested or accepted the credit arrangement and card in writing, and the obtaining of credit by the person named in the credit card shall be deemed to constitute such written acceptance by him.

Use of
unsolicited
goods

- (3) No action shall be brought by which to charge any person for payment in respect of unsolicited goods notwithstanding their use, misuse, loss, damage or theft.

Relief
from legal
obligations

- (4) Except as provided in this section, the recipient of unsolicited goods or of a credit card that has not been requested or accepted in accordance with subsection 2 has no legal obligation in respect of their use or disposal.

Application
of section

- (5) This section applies in respect of credit cards and unsolicited goods received after this section comes into force.

Commence-
ment

- 2.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

- 3.** This Act may be cited as *The Consumer Protection Amendment Act, 1970*.

An Act to amend
The Consumer Protection Act, 1966

1st Reading

April 10th, 1970

2nd Reading

October 21st, 1970

3rd Reading

October 28th, 1970

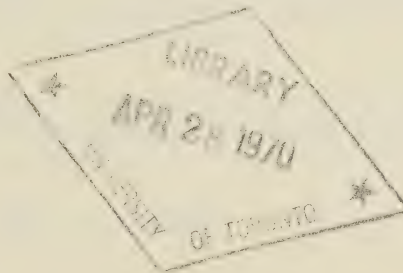
MR. LAWRENCE (Carleton East)

BILL 57

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend
The Ontario Water Resources Commission Act**

Mr. REID (Rainy River)



EXPLANATORY NOTE

The amendment increases the penalty for polluting water in an area designated by the Commission as a public source of water supply.

BILL 57

1970

An Act to amend The Ontario Water Resources Commission Act

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 28 of *The Ontario Water Resources Commission Act*, as re-enacted by section 3 of *The Ontario Water Resources Commission Amendment Act, 1962-63* and amended by subsection 2 of section 4 of *The Ontario Water Resources Commission Amendment Act, 1964*, is further amended by striking out "is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or to both" in the thirteenth, fourteenth, fifteenth and sixteenth lines and by inserting in lieu thereof "is guilty of an offence and on summary conviction is liable,

R.S.O. 1960,
c. 281, s. 28,
(1962-63,
c. 99, s. 3),
subs. 2,
amended

- (d) for a contravention of clause *a* or *c*, to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or to both;
- (e) for a contravention of clause *b*, to a fine of not more than \$5,000 for each day on which the contravention occurs or continues",

so that the subsection shall read as follows:

- (2) Every person,

Offences

- (a) who swims or bathes within an area defined under clause *a* of subsection 1; or
- (b) who places, deposits, discharges or allows to remain within an area defined under clause *b* of subsection 1 any material of any kind that may impair the quality of the water therein;
or

- (c) who does any act or takes water within an area defined under clause *c* of subsection 1 so that the amount of water available within the area as a public water supply may be unduly diminished,

is guilty of an offence and on summary conviction is liable,

- (d) for a contravention of clause *a* or *c*, to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or to both;

- (e) for a contravention of clause *b*, to a fine of not more than \$5,000 for each day on which the contravention occurs or continues.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Ontario Water Resources Commission Amendment Act, 1970*.

An Act to amend
The Ontario Water Resources
Commission Act

1st Reading

April 13th, 1970

2nd Reading

3rd Reading

Mr. REID (Rainy River)

BILL 58

Canadian
Publication

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to provide for the Protection of Personal Privacy

MR. KENNEDY



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

EXPLANATORY NOTE

The Bill prohibits the violation of privacy including electronic eavesdropping and the collection and use of economic, commercial or social data, and provides the machinery for supervision and control.

BILL 58

1970

An Act to provide for the Protection of Personal Privacy

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Commission" means the Ontario Privacy Commission;
- (b) "Minister" means the Minister of Justice and Attorney General.

2.—(1) No person shall violate the privacy of any other person in such a manner as to unreasonably interfere with that person's interest in not having his affairs made known to others or his likeness exhibited to the public.

Violation of
privacy
prohibited

(2) Without limiting the generality of the foregoing it is a violation of the privacy of any person to,

What consti-
tutes viola-
tion of
privacy

- (a) collect economic, commercial or social data concerning such person without disclosing to that person, upon request, such data;
- (b) disclose to any other person economic, commercial or social data collected with respect to any person without promptly informing the latter that such a disclosure has been made and without making available to him, upon request, the data contained in the disclosure;
- (c) use any equipment, device, apparatus or contrivance for the purpose of intercepting and listening to messages intended for or sent by such person through any telephone system;

(d) surreptitiously eavesdrop on such person by means of any electronic device, including a concealed tape-recorder; or

(e) make use of the name or portrait of such person for the purpose of advertising or promoting the sale of, or any other trading in, any property or services without that person's consent.

Exception re police

(3) A provincial judge may, by order, authorize a police officer to use any equipment, device or apparatus for the purposes mentioned in clause c of subsection 1 where it appears there is reasonable grounds to believe that it will afford evidence with respect to the commission of any offence against the laws of Canada or Ontario.

Violation of privacy actionable

3. It is a tort, actionable without proof of damage, for a person wilfully, and without a claim of right, to violate the privacy of another.

Commission established

4.—(1) The Ontario Privacy Commission is hereby established.

Composition

(2) The Commission shall be composed of not fewer than five members who shall be appointed by the Lieutenant Governor in Council.

Chairman

(3) The Lieutenant Governor in Council may designate one of the members of the Commission as chairman.

Responsibility

(4) The Commission is responsible to the Minister for the administration of this Act.

Complaints

5.—(1) The Commission itself or through any person designated so to do may inquire into the complaint of any person that his privacy has been violated contrary to this Act and it shall endeavour to effect a settlement of the matter complained of.

Form of complaint

(2) Every such complaint shall be in writing on the form prescribed by the Commission and shall be mailed or delivered to the Commission at its office.

Boards of inquiry

6.—(1) If the Commission is unable to effect a settlement of the matter complained of, the Minister may on the recommendation of the Commission, appoint a board of inquiry composed of one or more persons to investigate the matter and shall forthwith communicate the names of the members of the board to the parties to the complaint, and thereupon it shall be presumed conclusively that the board was appointed in accordance with this Act.

(2) The board has all the powers of a conciliation board ^{Powers}
under section 28 of *The Labour Relations Act*. <sup>R.S.O. 1960,
c. 202</sup>

(3) The board shall give the parties full opportunity to ^{Duties}
present evidence and to make submissions and, if it finds
that the complaint is supported by the evidence, it shall
recommend to the Commission the course that ought to be
taken with respect to the complaint.

(4) If the board is composed of more than one person, ^{Majority}
the recommendations of the majority are the recommendations ^{recommen-}
of the board. <sup>dations to
prevail</sup>

(5) After the board has made its recommendations, the ^{Clarification}
Commission may direct it to clarify or amplify any of them, ^{of recom-}
and they shall be deemed not to have been received by the ^{mendations}
Commission until they have been so clarified or amplified.

(6) The Minister, on the recommendation of the Com- ^{Minister's}
mission, may issue whatever order he considers necessary to ^{order}
carry the recommendations of the board into effect and such
order shall be complied with in accordance with its terms.

7. Every person who contravenes any provision of this ^{Offence}
Act or any order made under this Act is guilty of an offence
and on summary conviction is liable,

(a) if an individual, to a fine of not more than \$500; or

(b) if a corporation, to a fine of not more than \$2,000.

8. No prosecution for an offence under this Act shall be ^{Consent to}
instituted except with the consent of the Minister. ^{prosecution}

9. Any person affected by an order of the Minister made ^{Appeal to}
under section 6 may appeal therefrom to the Court of Appeal ^{Court of}
and the practice and procedure as to the appeal and pro- ^{Appeal}
ceedings incidental thereto are the same *mutatis mutandis*
as upon an appeal from the High Court.

10. This Act comes into force on the 1st day of January, ^{Commence-}
1971. ^{ment}

11. This Act may be cited as *The Privacy Act, 1970*. ^{Short title}

An Act to provide for the
Protection of Personal Privacy

1st Reading

April 15th, 1970

2nd Reading

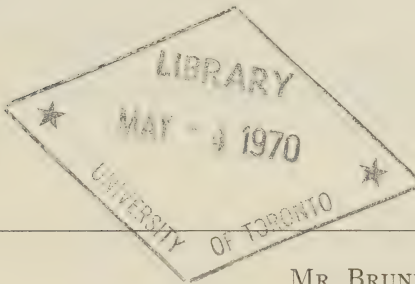
3rd Reading

MR. KENNEDY

BILL 59

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act respecting The South Boundary of the Geographic Township of Blackwell and the North Boundary of the Geo- graphic Township of Laurie



MR. BRUNELLE

EXPLANATORY NOTE

This Bill fixes the boundary between the geographic Township of Blackwell and the geographic Township of Laurie in the Territorial District of Thunder Bay and amends letters patent issued with descriptions that are inconsistent with such boundary.

**An Act respecting The South Boundary of the
Geographic Township of Blackwell and the
North Boundary of the Geographic Township of
Laurie**

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. The south boundary of the geographic Township of Blackwell in the Territorial District of Thunder Bay is a line described as follows:

South
boundary
of the
geographic
Township of
Blackwell

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence northerly along the westerly limit of that lot and the westerly limit of Lot 80 in Concession B to the northwesterly corner of the last-mentioned lot;

Thence easterly along the northerly limit of that lot to the intersection with a line drawn north astronomically from the intersection of the centre line of the Dawson Road and the production northerly of the east boundary of the geographic Township of Laurie, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919.

2. The north boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay is a line described as follows:

North
boundary of
the
geographic
Township of
Laurie

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence southerly along the westerly limit of that lot to the southwesterly corner thereof;

Thence easterly along the southerly limit of that lot to the east boundary of the geographic Township of Laurie as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919.

Descriptions
in letters
patent
amended

3. The descriptions in the letters patent enumerated in the Schedule hereto are amended by striking out the references to the geographic Township of Laurie and inserting in lieu thereof references to the geographic Township of Blackwell and the master of titles is authorized to make corresponding amendments in the parcel registers in the office of land titles.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Blackwell-Laurie Boundary Act, 1970*.

SCHEDULE

<i>Date of Letters Patent</i>	<i>Name of Patentee</i>	<i>Description</i>
26 September, 1921	Kalle Lampainen	Summer Resort Location P.P. 99
27 September, 1921	Salomon Taipalus	Summer Resort Location P.P. 98
27 September, 1921	Oscar Jurvanen	Summer Resort Location P.P. 100
18 October, 1921	Andrew Roos	Location P.P. 102
14 December, 1921	H. Jalmar Lampaine	Summer Resort Location P.P. 103
11 January, 1924	Matti Saari	Location P.P. 101
12 May, 1927	Arthur Franche	Summer Resort Location R.K. 704
27 July, 1931	Mary Lampainen	Summer Resort Location P.P. 627
10 September, 1931	Jalmar Lampainen	Mining Claim T.B. 4829
10 September, 1931	Jalmar Lampainen	Mining Claim T.B. 5139
9 April, 1940	Frank Kaspar John Perala Joomas Perala	Mining Claim T.B. 17044
14 May, 1945	Oscar Paajanen	Mining Claim T.B. 26120
14 May, 1945	Oscar Paajanen	Mining Claim T.B. 26121

An Act respecting The South Boundary
of the Geographic Township of Blackwell
and the North Boundary of the Geographic
Township of Laurie

1st Reading

April 17th, 1970

2nd Reading

3rd Reading

MR. BRUNELLE

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Government
Publications

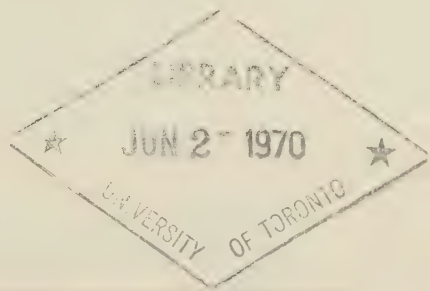
BILL 59

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act respecting The South Boundary of the Geographic
Township of Blackwell and the North Boundary of the Geo-
graphic Township of Laurie

MR. BRUNELLE

(Reprinted as amended by the Committee of the Whole House)



EXPLANATORY NOTE

This Bill fixes the boundary between the geographic Township of Blackwell and the geographic Township of Laurie in the Territorial District of Thunder Bay and amends letters patent issued with descriptions that are inconsistent with such boundary.

An Act respecting The South Boundary of the Geographic Township of Blackwell and the North Boundary of the Geographic Township of Laurie

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The south boundary of the geographic Township of Blackwell in the Territorial District of Thunder Bay is a line described as follows:

South
boundary
of the
geographic
Township of
Blackwell

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence northerly along the westerly limit of that lot and the westerly limit of Lot 80 in Concession B to the northwesterly corner of the last-mentioned lot;



Thence easterly along the northerly limit of that lot and part of the northerly limit of Lot 79 in Concession B on the Dawson Road to the west boundary of the geographic township of Goldie, as surveyed by Phillips and Benner, Ontario Land Surveyors, in the year 1924.



2. The north boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay is a line described as follows:

North
boundary of
the
geographic
Township of
Laurie

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence southerly along the westerly limit of that lot to the southwesterly corner thereof;



Thence easterly along the southerly limit of that lot and part of the southerly limit of Lot 79 in Concession A on the Dawson Road to the east boundary of the geographic township of Laurie, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919.



Descriptions
in letters
patent
amended

3. The descriptions in the letters patent enumerated in the Schedule hereto are amended by striking out the references to the geographic Township of Laurie and inserting in lieu thereof references to the geographic Township of Blackwell and the master of titles is authorized to make corresponding amendments in the parcel registers in the office of land titles.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Blackwell-Laurie Boundary Act, 1970*.

SCHEDULE

<i>Date of Letters Patent</i>	<i>Name of Patentee</i>	<i>Description</i>
26 September, 1921	Kalle Lampainen	Summer Resort Location P.P. 99
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27 September, 1921	Oscar Jurvanen	Summer Resort Location P.P. 100
18 October, 1921	Andrew Roos	Location P.P. 102
14 December, 1921	H. Jalmar Lampaine	Summer Resort Location P.P. 103
11 January, 1924	Matti Saari	Location P.P. 101
12 May, 1927	Arthur Franche	Summer Resort Location R.K. 704
27 July, 1931	Mary Lampainen	Summer Resort Location P.P. 627
10 September, 1931	Jalmar Lampainen	Mining Claim T.B. 4829
10 September, 1931	Jalmar Lampainen	Mining Claim T.B. 5139
9 April, 1940	Frank Kaspar John Perala Joomas Perala	Mining Claim T.B. 17044
14 May, 1945	Oscar Paajanen	Mining Claim T.B. 26120
14 May, 1945	Oscar Paajanen	Mining Claim T.B. 26121

An Act respecting The South Boundary
of the Geographic Township of Blackwell
and the North Boundary of the Geographic
Township of Laurie

1st Reading

April 17th, 1970

2nd Reading

May 7th, 1970

3rd Reading

MR. BRUNELLE

(*Reprinted as amended by the
Committee of the Whole House*)

BILL 59

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act respecting The South Boundary of the Geographic
Township of Blackwell and the North Boundary of the Geo-
graphic Township of Laurie**

MR. BRUNELLE

TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 59

1970

**An Act respecting The South Boundary of the
Geographic Township of Blackwell and the
North Boundary of the Geographic Township of
Laurie**

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

- 1.** The south boundary of the geographic Township of Blackwell in the Territorial District of Thunder Bay is a line described as follows:

South
boundary
of the
geographic
Township of
Blackwell

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence northerly along the westerly limit of that lot and the westerly limit of Lot 80 in Concession B to the northwesterly corner of the last-mentioned lot;

Thence easterly along the northerly limit of that lot and part of the northerly limit of Lot 79 in Concession B on the Dawson Road to the west boundary of the geographic township of Goldie, as surveyed by Phillips and Benner, Ontario Land Surveyors, in the year 1924.

- 2.** The north boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay is a line described as follows:

North
boundary of
the
geographic
Township of
Laurie

Beginning at the VI Mile Post on the west boundary of the geographic Township of Laurie in the Territorial District of Thunder Bay, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919;

Thence east astronomically to the intersection with the westerly limit of Lot 80 in Concession A on the Dawson Road;

Thence southerly along the westerly limit of that lot to the southwesterly corner thereof;

Thence easterly along the southerly limit of that lot and part of the southerly limit of Lot 79 in Concession A on the Dawson Road to the east boundary of the geographic township of Laurie, as surveyed by E. R. Bingham, Ontario Land Surveyor, in the year 1919.

Descriptions
in letters
patent
amended

3. The descriptions in the letters patent enumerated in the Schedule hereto are amended by striking out the references to the geographic Township of Laurie and inserting in lieu thereof references to the geographic Township of Blackwell and the master of titles is authorized to make corresponding amendments in the parcel registers in the office of land titles.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Blackwell-Laurie Boundary Act, 1970*.

SCHEDULE

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An Act respecting The South Boundary
of the Geographic Township of Blackwell
and the North Boundary of the Geographic
Township of Laurie

1st Reading

April 17th, 1970

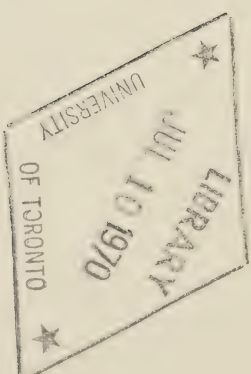
2nd Reading

May 7th, 1970

3rd Reading

May 26th, 1970

MR. BRUNELLE



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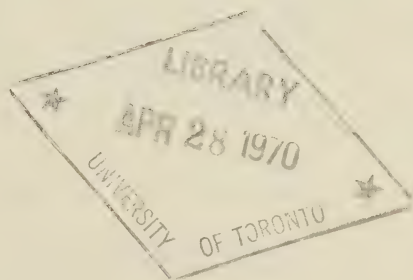
Government
Publication

BILL 60

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend The Residential Property Tax Reduction Act, 1968

Mr. McKEOUGH



EXPLANATORY NOTES

SECTION 1—Subsection 1. New definitions are added and ones no longer necessary are removed.

BILL 60

1970

**An Act to amend
The Residential Property Tax Reduction Act,
1968**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Residential Property Tax Reduction Act, 1968* is repealed and the following substituted therefor: ^{1968, c. 118, s. 1, subs. 1, re-enacted}

(1) In this Act,

Interpreta-
tion

(a) "Department" means the Department of Municipal Affairs;

(b) "land" means land as defined in *The Assessment Act, 1968-69*, ^{1968-69, c. 6}

(c) "local municipality" means a city, town, village or township, a board of a school section or high school district in territory without municipal organization, a divisional board in relation to district municipalities in territory without municipal organization, and a separate school board that levies and collects taxes for the purposes of the board;

(d) "Minister" means the Minister of Municipal Affairs;

(e) "municipal taxes" means all taxes for municipal and school purposes imposed by a mill rate on rateable property;

(f) "number of residential properties" means the number of properties in respect of which reimbursement is made under subsection 1 of section 5, exclusive of the number of properties in respect of which reimbursement is made for part of the year only.

R.S.O. 1960,
c. 249

- (g) "residential and farm assessment" means the assessment for real property except the assessment for real property mentioned in clauses *a* and *c* of subsection 2 of section 294 of *The Municipal Act*, according to the last revised assessment roll;

1968-69, c. 6

- (h) "residential property" means land separately assessed under paragraph 2 of subsection 2 of section 17 of *The Assessment Act, 1968-69* upon which there is a building used or intended to be used as a residence;

- (i) "residential tax levy" means the municipal taxes levied on residential and farm assessment less reductions in such taxes made under this Act.

1968, c. 118,
s. 1, subs. 2,
re-enacted

- (2) Subsection 2 of the said section 1, as amended by section 1 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Where part
of land
should have
been
separately
assessed

- (2) Where any person who has an interest as owner or tenant in any land believes that any part or parts of such land should have been separately assessed in the year preceding the year for which a tax reduction is sought, he may apply not later than the 31st day of January in the year next following the year for which the tax reduction is sought to the treasurer of the local municipality, and, if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part or parts of such land shall be deemed to have been separately assessed for the purposes of this Act.

1968, c. 118,
s. 2,
amended

- 2.** Section 2 of *The Residential Property Tax Reduction Act, 1968*, as amended by section 2 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Reduction of
municipal
taxes

- 2.—(1) Notwithstanding any general or special Act and subject to section 3, every local municipality shall reduce the municipal taxes required to be paid on each residential property in each year by,

- (a) the amount of \$30, plus an amount equal to 10 per cent of the residential tax levy in the local municipality in the preceding year divided by the number of residential properties in the local municipality in the preceding year; or

- (b) by an amount equal to 50 per cent of the total of municipal taxes on such residential property,

Subsection 2. The re-enacted subsection provides a continuing method of requesting a separate assessment; the time for making such applications is extended by one month.

SECTION 2. A new method of calculating the amount of the reduction of municipal taxes is provided.

SECTION 3. The re-enacted section provides a limitation on the amount by which the reduction in municipal taxes may vary from the amount of the previous year's reduction.

SECTION 4—Subsection 1. The reference to *The Assessment Act* is updated.

Subsection 2. Complementary to section 2 of the Bill, there is no change in principle.

whichever is the lesser, provided that where taxes are levied under section 43 of *The Assessment Act*, 1968-69, c. 6, 1968-69, the reduction to be made under this section shall be the proportion of the reduction that would otherwise be made under this section that the number of months remaining in the year, after such levy, bears to the number 12.

- (2) Where a payment in lieu of taxes is made to a local municipality by the Crown in right of Ontario or any agency thereof or The Hydro-Electric Power Commission of Ontario in any year in respect of residential property, the Crown, agency or Commission shall reduce the payment in lieu of taxes by the amount that a tenant thereof would otherwise be entitled to under this Act if the residential property were liable to taxation and shall pay or allow as a reduction in rent such amount to the tenant.

3. Section 3 of *The Residential Property Tax Reduction Act*, 1968, c. 118, s. 3, 1968 is repealed and the following substituted therefor: re-enacted

3. Except for residential properties in respect of which reductions were made for part of the preceding year only and except for residential properties in respect of which reductions were made under clause *b* of subsection 1 of section 2 in the preceding year, the reduction provided for under section 2 in respect of each residential property shall not be less than the amount of the previous year's reduction in respect of each such property minus \$5 or more than the amount of the previous year's reduction in respect of each such property plus \$15.

4.—(1) Subsection 2 of section 5 of *The Residential Property Tax Reduction Act*, 1968 is amended by striking out "section 131 of *The Assessment Act*" in the first and second lines and inserting in lieu thereof "section 76 of *The Assessment Act*, 1968-69", so that the subsection shall read as follows: 1968, c. 118, s. 5, subs. 2, amended

- (2) Where a local municipality has, under section 76 of *The Assessment Act*, 1968-69, made a cancellation, reduction or refund of taxes in respect of any residential property there shall be an adjustment as between the Province and the municipality of the amounts paid or payable under subsection 1. Adjustment re cancellations, reductions or refunds 1968-69, c. 6

(2) Subsection 3 of the said section 5, as enacted by section 3 of *The Residential Property Tax Reduction Amendment Act*, 1968-69, is repealed and the following substituted therefor: 1968, c. 118, s. 5, subs. 3 (1968-69, c. 112, s. 3), re-enacted

Payment of
amount of
reduction
allowed
tenants of
Crown

- (3) Every local municipality may apply to the Department requesting that it be reimbursed for the amount by which payments to it in lieu of taxes have been reduced by the Crown in right of Canada or Ontario and any agency thereof and The Hydro-Electric Power Commission of Ontario for the purpose of paying or allowing as a reduction in rent to tenants of the Crown, agency or Commission amounts that such tenants would otherwise be entitled to under this Act if the residential properties occupied by them were liable to taxation, and the Treasurer of Ontario shall pay to the municipality the total amount of such reductions, but where a payment in lieu of taxes on a residential property is less than the taxes which would have been levied had the property been liable to taxation, the amount of the residential property tax reduction shall be in the same ratio that the mill rate used to calculate the payment in lieu of taxes in the preceding year bears to the total mill rate that would have been levied in that same year had the property been liable to taxation.

1968, c. 118,
s. 6,
amended

5.—(1) Section 6 of *The Residential Property Tax Reduction Act, 1968* is amended by adding thereto the following clauses:

- (aa) varying the amounts provided in section 2 or 3;
- (ab) prescribing the amount of the tax reduction in respect of residential properties in any local municipality, where in the opinion of the Minister application of the provisions of sections 2 and 3 would not be appropriate due to an alteration in municipal boundaries.

1968, c. 118,
s. 6, cl. c,
repealed

- (2) Clause *c* of the said section 6 is repealed.

Commence-
ment

6. This Act shall be deemed to have come into force on the 1st day of January, 1970.

Short title

7. This Act may be cited as *The Residential Property Tax Reduction Amendment Act, 1970*.

SECTION 5—Subsection 1. The amendment confers additional regulation making powers on the Lieutenant Governor in Council respecting fixing the amount of the municipal tax reduction generally, and with respect to any individual municipality under certain circumstances.

Subsection 2. The clause repealed is redundant because of the repeal of subsection 1 of section 8 of the Act in the 1968-69 session.

An Act to amend
The Residential Property Tax Reduction
Act, 1968

1st Reading

April 17th, 1970

2nd Reading

3rd Reading

MR. McKEOUGH

BILL 60

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

**An Act to amend
The Residential Property Tax Reduction Act, 1968**

MR. McKEOUGH

(Reprinted as amended by the Committee of the Whole House)



EXPLANATORY NOTES

SECTION 1—Subsection 1. New definitions are added and ones no longer necessary are removed.

BILL 60

1970

**An Act to amend
The Residential Property Tax Reduction Act,
1968**

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Residential Property Tax Reduction Act, 1968* is repealed and the following substituted therefor: ^{1968, c. 118, s. 1, subs. 1, re-enacted}

(1) In this Act,

Interpreta-
tion

(a) "Department" means the Department of Municipal Affairs;

(b) "land" means land as defined in *The Assessment Act, 1968-69*, ^{1968-69, c. 6}

(c) "local municipality" means a city, town, village or township, a board of a school section or high school district in territory without municipal organization, a divisional board in relation to district municipalities in territory without municipal organization, and a separate school board that levies and collects taxes for the purposes of the board;

(d) "Minister" means the Minister of Municipal Affairs;

(e) "municipal taxes" means all taxes for municipal and school purposes imposed by a mill rate on rateable property;

(f) "number of residential properties" means the number of properties in respect of which reimbursement is made under subsection 1 of section 5, exclusive of the number of properties in respect of which reimbursement is made for part of the year only.

R.S.O. 1960,
c. 249

- (g) "residential and farm assessment" means the assessment for real property except the assessment for real property mentioned in clauses *a* and *c* of subsection 2 of section 294 of *The Municipal Act*, according to the last revised assessment roll;

1968-69, c. 6

- (h) "residential property" means land separately assessed under paragraph 2 of subsection 2 of section 17 of *The Assessment Act, 1968-69* upon which there is a building used or intended to be used as a residence;

- (i) "residential tax levy" means the municipal taxes levied on residential and farm assessment less reductions in such taxes made under this Act.

1968, c. 118,
s. 1, subs. 2,
re-enacted

- (2) Subsection 2 of the said section 1, as amended by section 1 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Where part
of land
should have
been
separately
assessed

- (2) Where any person who has an interest as owner or tenant in any land believes that any part or parts of such land should have been separately assessed in the year preceding the year for which a tax reduction is sought, he may apply not later than the 31st day of January in the year next following the year for which the tax reduction is sought to the treasurer of the local municipality, and, if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part or parts of such land shall be deemed to have been separately assessed for the purposes of this Act.

Where part
of land
assessed in
1968 should
have been
separately
assessed

- (3) Notwithstanding subsection 2, where any person who has an interest as owner or tenant in any land believes that any part or parts of such land should have been separately assessed in the year 1968, he may apply not later than the 30th day of June, 1970, to the treasurer of the local municipality, and, if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part or parts of such land shall be deemed to have been separately assessed in the year 1968 for the purposes of this Act.

1968, c. 118,
s. 2,
amended

2. Section 2 of *The Residential Property Tax Reduction Act, 1968*, as amended by section 2 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Reduction of
municipal
taxes

- 2.—(1) Notwithstanding any general or special Act and subject to section 3, every local municipality shall reduce the municipal taxes required to be paid on each residential property in each year by,

Subsection 2. The re-enacted subsection provides a continuing method of requesting a separate assessment; the time for making such applications is extended by one month.

SECTION 2. A new method of calculating the amount of the reduction of municipal taxes is provided.

SECTION 3. The re-enacted section provides a limitation on the amount by which the reduction in municipal taxes may vary from the amount of the previous year's reduction.

SECTION 4—Subsection 1. The reference to *The Assessment Act* is updated.

- (a) the amount of \$30, plus an amount equal to 10 per cent of the residential tax levy in the local municipality in the preceding year divided by the number of residential properties in the local municipality in the preceding year; or
- (b) an amount equal to 50 per cent of the total of municipal taxes on such residential property,

whichever is the lesser, provided that where taxes are levied under section 43 of *The Assessment Act*, 1968-69, c. 6, the reduction to be made under this section shall be the proportion of the reduction that would otherwise be made under this section that the number of months remaining in the year, after such levy, bears to the number 12.

- (2) Where a payment in lieu of taxes is made to a local municipality by the Crown in right of Ontario or any agency thereof or The Hydro-Electric Power Commission of Ontario in any year in respect of residential property, the Crown, agency or Commission shall reduce the payment in lieu of taxes by the amount that a tenant thereof would otherwise be entitled to under this Act if the residential property were liable to taxation and shall pay or allow as a reduction in rent such amount to the tenant.

3. Section 3 of *The Residential Property Tax Reduction Act*, 1968, c. 118, s. 3, re-enacted 1968 is repealed and the following substituted therefor:

- 3. Except for residential properties in respect of which Limitation reductions were made for part of the preceding year only and except for residential properties in respect of which reductions were made under clause *b* of subsection 1 of section 2 in the preceding year, the reduction provided for under section 2 in respect of each residential property shall not be less than the amount of the previous year's reduction in respect of each such property minus \$5 or more than the amount of the previous year's reduction in respect of each such property plus \$15.

4.—(1) Subsection 2 of section 5 of *The Residential Property Tax Reduction Act*, 1968, c. 118, s. 5, subs. 2, amended 1968 is amended by striking out "section 131 of *The Assessment Act*" in the first and second lines and inserting in lieu thereof "section 76 of *The Assessment Act*, 1968-69", so that the subsection shall read as follows:

Adjustment
re
cancellations,
reductions or
refunds
1968-69, c. 6

- (2) Where a local municipality has, under section 76 of *The Assessment Act, 1968-69*, made a cancellation, reduction or refund of taxes in respect of any residential property there shall be an adjustment as between the Province and the municipality of the amounts paid or payable under subsection 1.

1968, c. 118,
s. 5, subs. 3
(1968-69,
c. 112, s. 3),
re-enacted

- (2) Subsection 3 of the said section 5, as enacted by section 3 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

Payment of
amount of
reduction
allowed
tenants of
Crown

- (3) Every local municipality may apply to the Department requesting that it be reimbursed for the amount by which payments to it in lieu of taxes have been reduced by the Crown in right of Canada or Ontario and any agency thereof and The Hydro-Electric Power Commission of Ontario for the purpose of paying or allowing as a reduction in rent to tenants of the Crown, agency or Commission amounts that such tenants would otherwise be entitled to under this Act if the residential properties occupied by them were liable to taxation, and the Treasurer of Ontario shall pay to the municipality the total amount of such reductions, but where a payment in lieu of taxes on a residential property is less than the taxes which would have been levied had the property been liable to taxation, the amount of the residential property tax reduction shall be in the same ratio that the mill rate used to calculate the payment in lieu of taxes in the preceding year bears to the total mill rate that would have been levied in that same year had the property been liable to taxation.

1968, c. 118,
s. 6,
amended

- 5.—(1) Section 6 of *The Residential Property Tax Reduction Act, 1968* is amended by adding thereto the following clauses:

- (aa) varying the amounts provided in section 2 or 3;
- (ab) prescribing the amount of the tax reduction in respect of residential properties in any local municipality, where in the opinion of the Minister application of the provisions of sections 2 and 3 would not be appropriate due to an alteration in municipal boundaries.

1968, c. 118,
s. 6, cl. c,
repealed

- (2) Clause c of the said section 6 is repealed.

Commence-
ment

6. This Act shall be deemed to have come into force on the 1st day of January, 1970.

Short title

7. This Act may be cited as *The Residential Property Tax Reduction Amendment Act, 1970*.

Subsection 2. Complementary to section 2 of the Bill, there is no change in principle.

SECTION 5—Subsection 1. The amendment confers additional regulation making powers on the Lieutenant Governor in Council respecting fixing the amount of the municipal tax reduction generally, and with respect to any individual municipality under certain circumstances.

Subsection 2. The clause repealed is redundant because of the repeal of subsection 1 of section 8 of the Act in the 1968-69 session.

An Act to amend
The Residential Property Tax Reduction
Act, 1968

1st Reading

April 17th, 1970

2nd Reading

May 7th, 1970

3rd Reading

MR. McKEOUGH

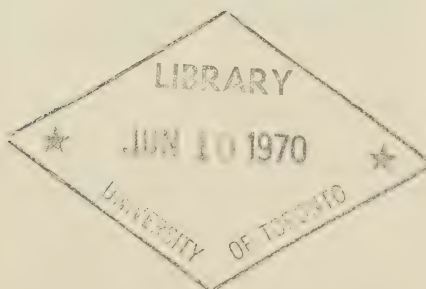
(Reprinted as amended by the
Committee of the Whole House)

BILL 60

3RD SESSION, 28TH LEGISLATURE, ONTARIO
19 ELIZABETH II, 1970

An Act to amend
The Residential Property Tax Reduction Act, 1968

MR. McKEOUGH



TORONTO

PRINTED AND PUBLISHED BY WILLIAM KINMOND, QUEEN'S PRINTER AND PUBLISHER

BILL 60

1970

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The Residential Property Tax Reduction Act,
1968**

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- (2) Subsection 2 of the said section 1, as amended by section 1 of *The Residential Property Tax Reduction Amendment Act, 1968-69*, is repealed and the following substituted therefor:

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- (2) Where any person who has an interest as owner or tenant in any land believes that any part or parts of such land should have been separately assessed in the year preceding the year for which a tax reduction is sought, he may apply not later than the 31st day of January in the year next following the year for which the tax reduction is sought to the treasurer of the local municipality, and, if the treasurer is satisfied that this is the case, he may so certify, and thereupon such part or parts of such land shall be deemed to have been separately assessed for the purposes of this Act.

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- (b) an amount equal to 50 per cent of the total of municipal taxes on such residential property,

whichever is the lesser, provided that where taxes are levied under section 43 of *The Assessment Act*, ^{1968-69, c. 6} 1968-69, the reduction to be made under this section shall be the proportion of the reduction that would otherwise be made under this section that the number of months remaining in the year, after such levy, bears to the number 12.

- (2) Where a payment in lieu of taxes is made to a local municipality by the Crown in right of Ontario or any agency thereof or The Hydro-Electric Power Commission of Ontario in any year in respect of residential property, the Crown, agency or Commission shall reduce the payment in lieu of taxes by the amount that a tenant thereof would otherwise be entitled to under this Act if the residential property were liable to taxation and shall pay or allow as a reduction in rent such amount to the tenant. ^{Re tenants of Crown property, etc.}

3. Section 3 of *The Residential Property Tax Reduction Act*, ^{1968, c. 118, s. 3, re-enacted} 1968 is repealed and the following substituted therefor:

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Short title

7. This Act may be cited as *The Residential Property Tax Reduction Amendment Act, 1970*.

An Act to amend
The Residential Property Tax Reduction
Act, 1968

1st Reading

April 17th, 1970

2nd Reading

May 7th, 1970

3rd Reading

May 14th, 1970

MR. McKEOUGH



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